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OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1871,

In the Ninety-fifth year of Independence.

WITH AN APPENDIX.

BY AUTHORITY.

HARRISBURG:

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L A W S

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1.

An Act

To revive and extend the provisions of an act, entitled "An Act to establish a ferry over the Allegheny river, at Franklin, in the county of Venango," approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to establish a ferry over the Allegheny river, at Franklin, in the county of Venango," approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four, be and the same is hereby revived and extended until the bridge near said ferry is rebuilt and ready for travel.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

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No. 2.

An Act

Validating the issue of certain sewerage bonds by the city of Allegheny.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Action of coun-
cils legalized.

That the action of the select and common councils of the city of Allegheny, in providing, by ordinance passed the tenth day of November, Anno Domini one thousand eight hundred and seventy, for the issue of sewerage bonds for the purpose of refunding the sewerage assessments in said city, said bonds amounting to one hundred and forty thousand dollars, in the denominations of five hundred and one thousand dollars, bearing interest at the rate of seven per centum per annum, payable semi-annually, and maturing yearly, on and after the first day of November, Anno Domini one thousand eight hundred and eighty, in sums of twenty thousand dollars, is hereby legalized, and said bonds are hereby legalized, as fully, to all intents and purposes, as though this act had been passed prior to their issue.

Bonds legalized.

Bonds to be free
from taxation.

SECTION 2. That said bonds shall be free from state and local taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 3.

An Act

Construing an act, entitled "An Act to appoint commissioners to lay out and open a state road from the borough of Wellsboro' to Marsh creek, by way of I. M. Bodine's, in Tioga county," approved twenty-first of April, Anno Domini eighteen hundred and seventy.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the third section of the act, entitled "An Act appoint-

ing commissioners to lay out and open a state road from the borough of Wellsboro' to Marsh creek, by way of I. M. Bodine's, in the county of Tioga," approved the twenty-first day of April, Anno Domini eighteen hundred and seventy, shall be so construed as to include all moneys arising from the road taxes assessed upon said lands which had not been paid out by the county treasurer at or before the passage of said act to which this is a supplement, and shall especially include the taxes assessed upon said lands for the years eighteen hundred and sixty-eight and eighteen hundred and sixty-nine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 4.

An Act

In relation to the Cumberland Valley Normal School, at Shippensburg, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the trustees of the Cumberland Valley State Normal School, at Shippensburg, to contract with any individual or individuals whatever, for any material to be used in the erection of the buildings, or any work to be performed in its construction.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 5.

A Supplement

To an act authorizing the commissioners of Carbon county to borrow money to build a new county jail, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the amount of money which the commissioners of Carbon county are authorized and empowered to borrow, on the credit of the county, for the purpose of building a new jail, under act of assembly, entitled "An Act authorizing the commissioners of Carbon county to borrow money to build a new county jail," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby increased to any sum not exceeding one hundred thousand dollars, and at the same rate of interest, and subject to the same exemptions as in said act specified.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 6.

An Act

Confirming the selection of persons made to serve as jurors in the several courts of Tioga county, for the year one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the selection made by the jury commissioners of said county of Tioga, on the twenty-second day of December, Anno Domini one thousand eight hundred and seventy, from

the qualified electors of said county, of five hundred persons to serve as jurors in the several courts of said county, during the year one thousand eight hundred and seventy-one, be and the same is hereby confirmed, and said selection and the placing of their names in the proper jury wheel, by said jury commissioners, shall have the same force and effect, to all intents and purposes, as though the number had been designated by the court of common pleas of said county, during its session at November term, one thousand eight hundred and seventy, as required by the second section of the act of April tenth, one thousand eight hundred and sixty-seven.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 7.

A Further Supplement

To an act, entitled "An Act to incorporate the Middle Creek Railroad Company," approved March twenty-third, Anno Domini one thousand eight hundred and sixty-five, and the supplement thereto, changing the name thereof to the Sunbury and Lewistown Railroad Company, approved February seventeenth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of directors of said company shall hereafter consist of seven, who, together with a president, shall be elected by the stockholders, on the second Tuesday of February next, to serve the current year, and thereafter the annual meeting of the stockholders of said company, for the election of officers, shall be held on the second Tuesday of February of each year; and the said company shall be governed in its charges for toll and transportation upon its railway, by the provisions of the eighteenth section of the act regulating railroads, approved February nineteenth, one thousand eight hundred and forty-nine, except the second proviso thereof; and all acts or parts of acts relating to said com-

pany, inconsistent with the provisions of this act, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 8.

An Act

To change the venue in the cases of the commonwealth of Pennsylvania against John M. Mark and D. S. Matthews, from the court of quarter sessions of Adams county to the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Venue changed.

That the venue in the cases now pending in the court of quarter sessions of the peace of the county of Adams, to wit: The commonwealth of Pennsylvania against D. S. Matthews and J. M. Mark, number twenty-eight of the November sessions, Anno Domini one thousand eight hundred and sixty-nine, and the same against D. S. Matthews, J. M. Mark, H. E. Long and S. R. Oyster, Anno Domini one thousand eight hundred and seventy, number ten of January sessions, be and the same are hereby changed and removed to the court of general quarter sessions of the peace of the county of Dauphin, to the next April sessions or any subsequent session of said court of quarter sessions, where they shall be tried, and verdicts and judgments and sentences be had thereon with the same effect as if the causes had been originally returned to the said court of quarter sessions.

Records to be transferred.

SECTION 2. All the records in the cases shall be certified and transferred by the proper officers of the said quarter sessions court of the county of Adams to the said court of the county of Dauphin; and all expenses incurred by the said county of Dauphin, by reason of the said change of venue, shall be paid by the said county of Adams.

Payment of expenses.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 9.

An Act

To authorize the school directors of the borough of Frankfort Springs, in Beaver county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Frankfort Springs, in the county of Beaver, be and they are hereby authorized and empowered to borrow any sum of money, not exceeding two thousand dollars, at a rate of interest not exceeding seven per cent., and to issue bonds therefor, signed by the president and secretary of the said board of school directors, for the purpose of purchasing a lot and erecting thereon a suitable building for school purposes in said borough, and to levy an additional building tax to that authorized by law, to pay said indebtedness, at such times as they may deem expedient; and said bonds, so issued as aforesaid, shall be exempt from taxation, except for state purposes: *Provided,* That the tax levied in any one year for building purposes shall not exceed two per centum of the assessed valuation of the property of said borough.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 10.

An Act

To authorize the commissioners of Mifflin county to appropriate money to the relief of certain citizens of Mifflintown.

WHEREAS, At a numerously attended meeting of the citizens of Lewistown and vicinity, Mifflin county, held January —, Anno Domini one thousand eight hundred and seventy-one, resolutions were unanimously passed requesting the legislature to pass an act authorizing and empowering the commissioners of said county to appropriate a sum, not ex- Preamble.

ceeding one thousand dollars, for the relief of the sufferers from the fire at Mifflintown, December thirty-first, one thousand eight hundred and seventy, and to levy and collect a tax for the payment of the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners authorized to appropriate money.

That the county commissioners of Mifflin county are hereby authorized and empowered to appropriate to the relief of the sufferers at the recent fire of December thirty-first, one thousand eight hundred and seventy, at Mifflintown, Juniata county, a sum not exceeding one thousand dollars.

Authorized to collect same by taxation.

SECTION 2. That they be also authorized to levy and collect the same by taxation, in the manner and form that taxes are levied and collected in said county, for county and other purposes.

Treasurer to pay orders drawn by commissioners.

SECTION 3. That the treasurer of Mifflin county is hereby directed to pay such orders as may be drawn on him by the commissioners of the same, for the relief of the destitute at Mifflintown, made so by the fire that occurred at that place, on December thirty-first, one thousand eight hundred and seventy, to an amount not exceeding the sum of one thousand dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 11.

A Supplement

To the act incorporating the Fort Hunter Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of said company shall consist of three thousand shares, of the par value of ten dollars each, with power to increase the same to such an amount as in the opinion of the said company may be necessary to complete said road: *Provided,* That the property owners owning lands abutting on the line of said road, between the points designated, shall pay into the treasury of said company annually one-half of the amount of the road tax assessed upon their pro-

perty, and the said persons and property shall be exempt from the payment of that amount of tax to the district collector; that the second section of the act to which this is a supplement is hereby repealed, and the width of the road-bed required to be made by the said company, shall be sixteen feet instead of twenty-five feet.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.



No. 12.

An Act

To authorize the trustees of the Franklin Land Company to make exchange of certain lots of ground.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees, or a majority of them, appointed by the Franklin Land Company, in and for a certain lot of ground held by them in trust for public uses, are hereby authorized to make exchange of the said lot, situated on the east side of Sixth street, at a distance of two hundred and sixty feet southward from the south side of Venango street, containing in front or breadth, on said Sixth street, thirty-one feet six and three-quarter inches, and on the rear line thereof one hundred and twenty-seven feet eleven inches, in the Twenty-fifth ward of the city of Philadelphia, for two certain other lots, numbered four hundred and ninety-seven and four hundred and ninety-eight on plan, situate on Turner street, below Erie avenue, adjoining the Enterprise public school, and convey the same to the directors of public schools of the twenty-fifth section for the uses and purposes of enlarging the grounds of said public schools.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 13.

An Act

Regulating the pay of commissioners, auditors, jurors, witnesses and assessors, in the county of Venango.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the first day of January, in the year of our Lord one thousand eight hundred and seventy-one, county commissioners shall receive three dollars and fifty cents per day, county auditors shall receive three dollars per day, jurors shall receive two dollars per day, witnesses one dollar per day, and assessors shall receive two dollars per day, as compensation for each day's attendance upon their respective duties: *Provided,* That this act shall only apply to the county of Venango.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 14.

An Act

Extending the sheriff's interpleader act to attachments issued under the act entitled "An Act relative to fraudulent debtors."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section nine of an act, entitled "An Act extending the chancery powers of and to the jurisdiction and proceedings in of certain courts," approved the tenth day of April, Anno Domini one thousand eight hundred and forty-eight, and also section first of an act, entitled "An Act extending the sheriff's interpleader act of Philadelphia city and county to the several counties of this commonwealth," approved the tenth day of March, Anno Domini one thousand eight hundred

and fifty-eight, be extended and applied to any claim which has been or shall be made by any person or persons not being the parties against whom process has issued, to any goods or chattels taken, or entitled to be taken, by or under attachment issued under the act, entitled "An Act relative to fraudulent debtors," approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-nine: *Provided*, That when the proper court shall not be in session, any law judge thereof shall have power at chambers to hear and determine any rule to show cause, and to make such order as shall appear to be proper and just under the circumstances of the case.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 15.

A Supplement

To an act, entitled "An Act providing for the election of district attorneys," allowing district attorneys to hold office in the militia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section six of an act, entitled "An Act providing for the election of district attorneys," approved May third, Anno Domini one thousand eight hundred and fifty, shall not be construed so as to prohibit the district attorney of any county from holding any office or commission in the militia of the state.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirtieth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 16.

An Act

Regulating the pay of county commissioners, county auditors, poor directors, assessors, assistant assessors, jurors, grand jurors, road and bridge viewers, viewers to assess railroad damages, and witnesses in attendance upon court and before justices of the peace, in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the per diem allowance of the county commissioners, county auditors, poor directors, assessors, jurors, grand jurors, road and bridge viewers, viewers to assess railroad damages and witnesses in attendance upon court and before justices of the peace, in the county of Mercer, shall be three dollars and fifty cents for county commissioners, three dollars for county auditors and poor directors, two dollars for assessors, assistant assessors, jurors, grand jurors, road and bridge viewers and viewers to assess railroad damages, one dollar for witnesses when in attendance upon court and fifty cents before justices of the peace: *Provided,* That this act shall not apply to the per diem pay of jurors before justices of the peace in said county.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 17.

A Further Supplement

To the act, entitled "An Act to incorporate the Provident Life and Trust Company of Philadelphia," approved the twenty-second day of March, one thousand eight hundred and sixty-five, increasing the number of directors of said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said company shall have the power to increase the number of the directors thereof to any number not exceeding fifteen in all; and so much of the section of the said act of incorporation as limits the number of said directors to nine, is hereby repealed.

May increase number of directors.

SECTION 2. That the existing board of directors of said company may appoint additional directors thereof, not exceeding six in number, to serve with them until the next ensuing annual election; and after such election the directors then holding office shall have power to regulate and determine the tenure of office of the individual members of such new board and their successors, in such manner as shall ensure the expiration of the terms in office of at least one-third of the whole number of directors at the end of each year thereafter: *Provided however*, That any member of said board shall be deemed eligible for re-election.

Existing board may appoint additional directors.

Directors may regulate tenure of office of members of board.

Members eligible for re-election.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 18.

An Act

Authorizing and requiring the township auditors of Industry township, Beaver county, to re-audit the bounty accounts of said township, and extending the time for appeal and staying proceedings in the court of common pleas of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the township auditors of the township of Industry, in the county of Beaver, be and they are hereby authorized and required to re-audit any bounty accounts of said township which may have heretofore been audited by township auditors, including the accounts for recruits furnished in the years one thousand eight hundred and sixty-four and sixty-five, with like effect as if such accounts had not been audited; and the time for appeal, as provided by law, is hereby extended so that such appeal may be taken and entered at any time within thirty days after the re-auditing of said accounts, as herein provided.

Auditors to re-audit accounts.

Time for appeal extended.

Court to stay
proceedings to
recover bal-
ances due.

SECTION 2. The court of common pleas of Beaver county is hereby authorized and required to stay any proceedings that may have been commenced to recover any balances found due by the former audit until after the re-auditing herein provided for, when such order shall be made in reference thereto, as to the said court shall appear right and just, and in accordance with the spirit of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 19.

A Further Supplement

To an act, entitled "An Act relating to road laws in the county of Delaware," approved April twelfth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of the act, entitled "A supplement to an act, entitled 'An Act relating to road laws in Delaware county,' approved the twelfth day of April, Anno Domini one thousand eight hundred and sixty-nine," which supplement was approved the seventeenth day of March, Anno Domini one thousand eight hundred and seventy, shall be construed to extend to and the same is hereby extended to viewers, reviewers and re-reviewers to view and lay out and assess damages on public roads and highways, to viewers for bridges, to jurors for vacating roads, and to viewers and jurors for assessing damages on all streets, roads and public highways, who shall and may be appointed by the court of quarter sessions of Delaware county.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 20.

An Act

To enable the school directors of the Third ward, in the city of Allegheny, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Third ward of the city of Allegheny, of the county of Allegheny, be and they are hereby authorized and empowered to borrow an amount of money, not exceeding sixty thousand dollars, for a term of years not exceeding twenty years, and to issue bonds or certificates of indebtedness for the same, in sums of not less than one hundred dollars each, bearing interest at a rate not exceeding eight per centum per annum; said bonds or certificates to be executed by the president and countersigned by the secretary of the board, and shall be exempt from taxation, except for state purposes, under the laws of this commonwealth: *Provided,* That all loans so made shall be applied exclusively to the purchase of grounds, and the erection of suitable buildings thereon, for the use of the public schools of the said district.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of Februrry, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 21.

An Act

To amend an act, entitled "An Act to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg," approved the second day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section twelfth of an act, entitled "An Act

Redemption of bonds authorized by former act, relative to.

to provide for the improvement of Penn avenue and other avenues and streets in the city of Pittsburg," approved the second day of April, Anno Domini one thousand eight hundred and seventy, as provides that the bonds authorized by said act, and known as Penn avenue bonds, shall be redeemable at any time at the option of said city, be and the same hereby is repealed; and that the said bonds shall not be redeemable by the city of Pittsburg, until their maturity, except with the consent of the holders thereof.

City treasurer to register bonds presented to him.

SECTION 2. That the treasurer of the city of Pittsburg be and he hereby is authorized and directed to register such of said bonds as may be presented to him for that purpose by the holders thereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 22.

An Act

To incorporate the Clarion County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That W. W. Rankin, John Logue, John Elliott, A. H. Alexander, S. H. Hagan, Isaac Mong, Samuel Heeter, Martin Kearney, Levi Kifer, L. C. Pritner, James K. Henry, Jacob Bittenbender, J. M. Turney, R. B. Brown, David M'Clay, G. W. Fulton, Martin Wagner, E. F. Lerch, John H. Smith, Jacob Black, James Campbell, George W. Arnold, R. Rulofson, D. B. Curll, Samuel Frampton, J. P. Lyon, Samuel Wilson, John D. M'Kee, B. M. Means, Alexander Hindman, William T. Alexander, J. B. Knox, W. W. Barr and Nathan Myers, or any seven of them, and those who may hereafter be associated with them as stockholders, be and they are hereby incorporated and constituted a body politic and corporate, under the name, style and title of the Clarion County Railroad Company, with all the rights, powers and privileges and subject to all the restrictions and conditions conferred or imposed by an act to regulate railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and all its several supplements, so far as the

Title.

Subject to.

same are not altered or supplied by this act; and said company shall also be entitled to all the rights, powers and privileges of any general law of this commonwealth relating to railroad companies.

SECTION 2. The said company are hereby authorized to construct a railroad, with one or more tracks, commencing at a point on the Allegheny river, between the mouth of Redbank creek and the mouth of the Clarion river, or at Lawsonham, or any point on Redbank creek, and extending by the nearest and most practicable route to the borough of Clarion, in the county of Clarion, with power to make branches to develop the resources of any section of Clarion, Jefferson and Forest counties, and connect with any other railroads in said counties.

Construction of railroad authorized.

Route.

Branches.

SECTION 3. That the capital stock of said company shall be two hundred thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the same, from time to time, to six hundred thousand dollars, an amount sufficient to complete and equip their road and branches.

Capital stock.

SECTION 4. That the directors of said company may borrow money, to an amount not exceeding five hundred thousand dollars, and issue their bonds therefor, either with or without coupons, in sums not less than one hundred dollars each, and secure the principal and interest of said bonds by a mortgage upon the road, property and franchises of said company.

Directors may borrow money, and issue bonds therefor.

SECTION 5. That any incorporated railroad, or other company, shall have power to subscribe to the capital stock, or to purchase or endorse the bonds of said Clarion Railroad Company: *Provided*, That books may be open for subscription to the capital stock of the company after one week's notice; the board of directors shall consist of seven stockholders, five of whom shall constitute a quorum; the board of directors may require the capital stock to be paid in at any rate not exceeding fifteen dollars per share in any period of thirty days.

Subscriptions to stock, &c.

Directors.

Payment of capital stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 23.

An Act

To incorporate the Republican Invincibles of Philadelphia, and giving certain privileges to the same.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Corporators.

That Henry Todd, Ezra Lukens, Eli T. Starr, W. J. Gillingham, Henry C. Hawkins, John P. Wolverton, William L. Fox, George Truman, Jr., Benjamin L. Taylor, Horace Hill, George W. Fry, Albert C. Weaver, William M'Michael, John Burkenbine, Benjamin Huckle, E. H. D. Fraley, Dr. James Truman, James P. Evans, Cyrus Lukens, A. Wilson Henszey, and their associates and successors, in the city and county of Philadelphia, be and they are hereby created a body politic and corporate, in deed and law, by the name, style and title of the Republican Invincibles of Philadelphia, and by that name shall have perpetual succession, and be able to contract and be contracted with, sue and be sued, plead and be impleaded, in any court of law or equity or elsewhere, to have, hold, mortgage and dispose of all manner of property, real or personal, the annual income of which shall not exceed the sum of twenty-five thousand dollars, to have and use a common and corporate seal, and the same to alter or renew at pleasure, to make and enforce all necessary by-laws, rules and regulations for their government, the admission of their associates, and the furtherance of the objects of said association, viz: The advancement of republican principles, a general reform in the politics of the country, the elevation of character, superintendence of the general interests and cultivation of a fraternal feeling among the members of the republican party in said city and county, and generally to do all and singular the matters and things which shall be lawful for the well being and due management of the affairs of said association, and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted, and not inconsistent with this charter or the constitution and laws of the United States and of this commonwealth.

Title.

Powers and privileges.

Officers.

SECTION 2. The officers of said association shall consist of a president, two vice presidents, secretary, treasurer and an executive committee, of not more than fifty persons, and such other officers as shall be deemed necessary, who shall hold their respective offices for the period of one year, and until their successors shall have been duly elected; their respective duties and the time and manner of election to be defined and fixed by the by-laws.

Title to property to be vested in trustees.

SECTION 3. That the title to all real and personal estate that may hereafter be owned by said Republican Invincibles

of Philadelphia, shall be vested in a board of seven trustees, for the use of said association; and B. C. Worthington, Henry Todd, Cyrus Lukens, W. J. Gillingham, Horace Hill, Ezra Lukens and Henry C. Hawkins are hereby appointed such trustees; and whenever any vacancy or vacancies shall occur therein the same shall be filled by nomination and election by said Republican Invincibles of Philadelphia.

Trustees appointed.

Vacancies.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 24.

An Act

Authorizing and requiring the auditors of Luzerne county to re-audit certain accounts.

WHEREAS, The accounts of Neal M'Groarty, late treasurer of Luzerne county, have been audited by the auditors of said county:

And whereas, Errors have since been discovered in settlement of said accounts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors of Luzerne county are hereby authorized and required, immediately after the passage of this act, to re-audit the accounts of Neal M'Groarty, late treasurer of said county, for the year Anno Domini one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, which re-audit shall be valid, any law or usage to the contrary notwithstanding.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 25.

A Supplement

To the act incorporating the Young Men's Christian Association of Philadelphia, approved May second, one thousand eight hundred and fifty-seven, consolidating the Young Men's Home of Philadelphia with the said Young Men's Christian Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Upon acceptance of act, corporations to become consolidated.

Property, &c., of Young Men's Home to be vested in Young Men's Christian Association.

That from and after the acceptance of this act by the Young Men's Home of Philadelphia, a corporation incorporated by the court of common pleas for the city and county of Philadelphia, and the Young Men's Christian Association of Philadelphia, the said Young Men's Home of Philadelphia shall become and be merged into and consolidated with the said Young Men's Christian Association of Philadelphia; and all the powers, rights, privileges, franchises, property, credits and effects of the said Young Men's Home shall be vested in and enjoyed by the Young Men's Christian Association of Philadelphia; and all legacies, devises, gifts and subscriptions heretofore made, or hereafter to be made, for or in favor of the said Young Men's Home, shall be taken and construed to have been made to and for the said Young Men's Christian Association: *Provided nevertheless,* That such property, credits, effects, legacies, devises and gifts shall be held, possessed, enjoyed and used by the said Young Men's Christian Association for the purposes set forth in the charter of the said Young Men's Home; that is to say, for the purpose of establishing and carrying on an institution to be called the Young Men's Home, as therein provided, and for no other trusts, uses, intents or purposes whatsoever.

Young Men's Christian Association may open houses for purposes of Young Men's Home.

SECTION 2. The said Young Men's Christian Association shall have power to open and carry on one or more houses for the purposes of the said Young Men's Home, in different parts of the said city of Philadelphia, and may take and hold such real estate as may be required for the maintenance of such building or buildings as are required for the purposes aforesaid.

Internal administration of Young Men's Home, relative to.

SECTION 3. That the internal administration of the Young Men's Home, when established by the said Young Men's Christian Association, shall be committed to a board of directors, to be styled the board of directors of the Young Men's Home, to be composed of twelve men and not less than twelve women, as the board of managers of the said Young Men's Christian Association shall determine; the said board of directors to be elected annually by and be subject to the supervision and control of the said board of managers of the Young Men's Christian Association.

SECTION 4. And it is hereby expressly enacted that all

things contained in the charters of the two corporators referred to in section one, so far as they may be inconsistent with the provisions of this act, be and the same are hereby repealed. Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred seventy-one.

JNO. W. GEARY.

No. 26.

An Act

Extending and restoring to the borough of Sharpsburg, in the county of Allegheny, and to its citizens, the provisions and regulations of the act, entitled "An Act regulating boroughs," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, and its supplement, approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six, in relation to the surveying, laying out, opening, widening and straightening of streets, public highways, laues and alleys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all roads, streets, public highways, lanes and alleys surveyed, laid out, opened, widened and straightened in the borough of Sharpsburg, in the county of Allegheny, shall be surveyed, laid out, opened, widened and straightened in accordance with and under the regulations and provisions of the act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act regulating boroughs," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, and of the supplement thereto, approved the twenty-second day of April, Anno Domini one thousand eight hundred and fifty-six.

How roads, streets, &c., to be laid out and opened.

SECTION 2. That all the rights, privileges, powers, limitations and protection of the said act and supplement, be and are hereby extended and restored to the said borough, so far as relates to the surveying, laying out, opening, widening and straightening of roads, streets, public highways, lanes and alleys.

Certain rights, privileges, &c., extended to Sharpsburg borough.

SECTION 3. That all acts or parts of acts inconsistent with this act, be and the same are hereby repealed so far as relates to the borough of Sharpsburg: *Provided,* That nothing

Repeal.
Proviso.

herein contained shall be construed to impair or affect any contract made, or liability incurred, or action taken under a supplement to an act incorporating the borough of Sharpsburg, in the county of Allegheny, &c., approved April eleventh, Anno Domini one thousand eight hundred and seventy.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 27.

An Act

To incorporate the American Steamship Company of Philadelphia.

Preamble.

WHEREAS, It is a matter of great importance to this commonwealth, and to its citizens generally, that a line of American built vessels should be established between the ports of Philadelphia and Europe, and it is proper that the commonwealth should extend liberal grants and franchises to promote and encourage such an enterprise; therefore,

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Subscriptions.

That J. Edgar Thomson, Edward C. Knight, Samuel T. Bodine, John Rice, Thomas A. Scott, Washington Butcher, Wistar Morris, Josiah Bacon, John Price Wetherill, John O. James, Henry Winsor, B. H. Bartol, James H. Orne, Andrew Wheeler, A. R. M'Henry, C. J. Hoffman and Edward K. Stevenson, are appointed commissioners, who, or any nine of whom, shall have the power and authority to open books and receive subscriptions, at the Merchants' Exchange, in the city of Philadelphia, to the capital stock of the company created

Organization.

by this act; and upon the subscriptions of seven thousand shares said books shall be closed, and the subscribers to the capital stock be notified by advertisement, for not less than five days, in at least three newspapers in the city of Philadelphia, to meet at the said Merchants' Exchange, and complete the organization of the company by the election of nine (9) directors, one of whom shall be designated as president, and all of whom shall be citizens of Pennsylvania; and thereupon it shall be the duty of the governor of the commonwealth, upon being certified of such subscriptions, and of the

election of a president and directors, to issue letters patent, under the great seal of the commonwealth, incorporating said company as a body politic and corporate, under the name, style and title of the American Steamship Company of Philadelphia; and by the same name, style and title the company shall have perpetual succession, and be able and capable in law to sue and be sued, to plead and be impleaded, to have a common seal, and to possess and exercise all such rights and powers as are or may be useful to a corporation having for its object the receiving, storing, loading, delivering and transportation of passengers and of mails, of goods, wares, merchandise and traffic of any description, by means of steam or other vessels, between Philadelphia and Liverpool or other European ports; the company hereby incorporated shall have power, from time to time, to prescribe the number of directors and officers of said company, their powers and the mode of exercising them, and to make such by-laws from time to time as they may deem proper: *Provided*, The same shall not be inconsistent with the constitution and laws of the United States and of this commonwealth.

Letters patent.

Title.

Powers and privileges.

SECTION 2. The said company shall have power to build, own, possess, receive, charter, employ, buy, sell and dispose of ships and vessels, with their appurtenances, and the steam engines and other machinery necessary and proper or useful for the propulsion and navigation of the same, and to acquire, by purchase, lease or otherwise, all necessary real estate, warehouses, wharves, landings, docks and other proper or useful easements and conveniences for receiving, storing, loading and delivering merchandise and traffic of every description transported or to be transported in said ships or vessels, so to be customarily owned, used or navigated by them, and to prescribe from time to time, and collect such rates and charges for any business transacted under the provisions of this act as to them may seem expedient, and shall also have power to issue warehousing receipts, which shall be negotiable instruments, transferable by endorsement, in like manner and with like effect as promissory notes are.

Further powers.

SECTION 3. The capital stock of said company shall consist of seven thousand (7,000) shares of one hundred (\$100) dollars each, with the power to increase the same, from time to time, to any amount not exceeding fifty thousand (50,000) shares of one hundred (\$100) dollars each, each share thereof to be entitled to one vote; and said company shall have full power and authority to borrow money, to an amount not exceeding three hundred and seventy-five thousand (\$375,000) dollars for each vessel that may be constructed or contracted for by the company from time to time, and to issue bonds or other obligations for such amount, bearing interest at a rate not exceeding six (6) per centum per annum, and to secure the same by mortgage or other lien upon said vessels, or any of them, and upon any other property, real or personal, of such corporation and its franchises; such mortgage or other lien to be recorded in the office for recording deeds, &c., in and for the city and county of Philadelphia; the vessels and other pro-

Capital stock.

Authorized to borrow money and issue bonds.

May secure bonds by lien upon property.

Property, &c., to be exempt from taxation.

Corporations may subscribe to capital stock and purchase bonds.

May contract with corporations for guarantee of payment of bonds.

erty, the capital stock and bonds issued by and the earnings of the said company, shall be exempt from all taxation.

SECTION 4. It shall be lawful for any corporation of this commonwealth to subscribe to the capital stock of said company, and to purchase and hold its bonds and capital stock for the purpose of investment or otherwise; and it shall also be lawful for the company hereby incorporated to contract with any corporation or corporations created by or existing under the laws of this commonwealth, for the guarantee of the payment of the principal and interest or either of any bonds or obligations which may be issued by it; and any corporation so subscribing, purchasing, contracting or guaranteeing is hereby fully authorized and empowered so to do; and all acts or parts of acts inconsistent with this act are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventh day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 28.

An Act

To authorize the commissioners of Mifflin county to cause a public bridge to be erected over the Juniata river, at the borough of Newton Hamilton, and to buy the Mattawana toll bridge over the Juniata river, at M'Veytown, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the commissioners of Mifflin county be and they are hereby authorized and required to cause a good and sufficient public bridge to be erected, at the expense of said county, over the Juniata river, from a point in the borough of Newton Hamilton, at the foot of the canal bridge, to the land of Mrs. Wharton, in Wayne township, in said county; and that the said commissioners are hereby directed to provide the means and cause such bridge to be erected as speedily as possible, so that the same shall be completed on or before the first day of November next.

SECTION 2. That the said commissioners of Mifflin county are also hereby authorized and required to purchase of the Mattawana Bridge Company their bridge, or bridges, across

Commissioners to cause public bridge to be erected at Newton Hamilton.

To purchase bridges of Mattawana Bridge Company.

the Juniata river, at M'Veytown, in said county, at a valuation to be placed thereon by three disinterested appraisers, to be appointed by the court of quarter sessions of said county, upon the application of any citizen thereof, at the next session of said court; and the said appraisers, or a majority thereof, shall make report to the next court thereafter, and upon their report being presented to and filed in the said court, the commissioners of said county shall draw their warrant upon the county treasurer of Mifflin, in favor of the treasurer of the Mattawanna Bridge Company, or the president thereof, for the amount of said appraisement; and upon delivery and payment of the said warrant, the said bridge or bridges shall be vested in the county of Mifflin, and be free to the use of the public forever: *Provided*, That the appraisers to be appointed under the authority of this act shall not be residents of the county of Mifflin: *And provided further*, That the said commissioners shall not have authority to buy said bridge or bridges if the valuation of the said appraisers shall exceed eight thousand dollars.

Valuation to be fixed by appraisers appointed by court.

Upon report being filed, commissioners to draw warrant for amount of appraisement.

Upon delivery, &c., of warrant, bridges to be free.

Appraisers not to be residents of county.

Commissioners not to purchase bridges if valuation exceeds \$8,000.

SECTION 3. That in case the Mattawanna Bridge Company shall refuse to sell to the county of Mifflin the bridge or bridges aforesaid, at the price and sum so fixed in the appraisement aforesaid, that then the commissioners of the said county are hereby authorized and required to cause a good and sufficient public bridge to be erected, at the expense of the said county, over the Juniata river, at the borough of M'Veytown aforesaid, on a suitable site, to be selected by the said commissioners, or a majority thereof, who are hereby directed to provide the means and cause such bridge to be erected as speedily as possible.

In what case commissioners to cause public bridge to be erected at M'Veytown.

SECTION 4. That the commissioners of the county of Mifflin, for the purpose of carrying into effect the objects of this act, are hereby authorized, if necessary, to borrow any sum of money, not exceeding twenty-five thousand dollars, at a rate of interest not exceeding eight per cent., and to issue bonds therefor, in sums of not less than five hundred dollars.

Commissioners authorized to borrow money and issue bonds

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 29.

An Act

For the relief of certain citizens of Mifflintown, Juniata county.

Preamble.

WHEREAS, By a conflagration of unsurpassed magnitude, the town of Mifflintown, Juniata county, has been in a great measure destroyed, and hundreds of her citizens made houseless and destitute:

And whereas, Charity and benevolence are as much the duties of states as of individuals; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

\$20,000 appropriated for relief of sufferers from late fire.

That the sum of twenty thousand dollars is hereby appropriated for the relief and benefit of the sufferers from the late destructive fire in Mifflintown, Juniata county, the said sum to be received and distributed amongst the destitute and needy, by the authority and under the direction of the following named individuals, as a committee hereby appointed for that purpose: James North, Jacob A. Christy, Noah A. Elder, Amos H. Martin and John Yeakley.

Committee appointed to receive and distribute money.

State treasurer to pay money to committee.

SECTION 2. That the state treasurer is hereby directed to pay to the aforementioned committee, or to one of its number designated by the same for the purpose aforesaid, the sum of twenty thousand dollars out of any money in the treasury.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 30.

An Act

To enable the German Lutheran congregation, in and near the city of Philadelphia, to make division of their property between the two congregations into which they have become divided.

WHEREAS, By the act of assembly of the third of March, Anno Domini one thousand seven hundred and eighty, the

proprietary charter and the fundamental articles of the German Lutheran congregation, in and near the city of Philadelphia, were confirmed, and the officers of said congregation thereby incorporated were thereby empowered at any time thereafter to build one more churches, or place of worship, in addition to the two already built:

And whereas, They did build another church, at which a portion of said congregation worshipped under pastors who interchanged services in the three church edifices belonging to the said congregation, such additional being called Saint Paul's church, which, with the consent of the residue of the original congregation holding Saint Michael's and Zion's church edifices, become separately incorporated by the court, with the understanding that they should have Saint Paul's church and other property, and both said divisions of said congregations desire to legally consummate said understanding; therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the German Lutheran congregation, by its corporate name and title, "The ministers, vestrymen and church wardens of the German Lutheran congregation, in and near the city of Philadelphia, in the state of Pennsylvania," and for "The German Lutheran congregation of Saint Paul's church of Philadelphia," located at the north-east corner of Saint John and Brown streets, to divide and make conveyance to each other of portions or shares of the church edifices, grave-yards, school houses, ground rents, leases, mortgages, with their reversions, and other property which belonged to them when one congregation, or which may be the product or proceeds thereof, whereby each shall hold the property allotted and conveyed in severalty forever, with such conditions and reservations as may provide for its being held for the uses and purposes originally intended and now held; and such conveyances may be made as will consummate existing agreements, or such agreements as they may be modified and altered, and the same being done, such acts shall be lawful and binding upon said parties and be a lawful disposition of said property as to all parties interested therein, or howsoever accountable therefor.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 31.

An Act

Establishing a law library in Beaver county, for the use of the citizens thereof, and appropriating fines, forfeitures, penalties and forfeited recognizances accruing in said county for its use.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Beaver county are authorized and required to provide and furnish a suitable room in the court house of said county, for a law library, for the use of the citizens of the county, and to appropriate the sum of fifteen hundred dollars out of the county funds for the purchase of books for said library.

County commissioners to provide room for law library.

To appropriate money for purchase of books.

Appropriation of fines, forfeitures, &c.

SECTION 2. That all fines, forfeitures, penalties, amercements and forfeited recognizances hereafter accruing in said county, which under existing laws are not payable to the commonwealth for its use, are hereby directed to be paid into the treasury of said county for the maintenance and enlargement of said library.

Moneys to be expended under direction of committee appointed by judges of courts.

SECTION 3. The money appropriated for the purchase of said library under the first section of this act, as also all moneys accruing from time to time from the sources mentioned in the second section, shall be expended as provided for in said sections, under the direction of a committee of three of the resident members of the bar of said county, to be appointed by the president judge and his associates, annually, or oftener, if required.

Powers of judges and committee.

SECTION 4. The said judges and committee shall have power, from time to time, to adopt such rules and regulations for the use and government of said library as may be expedient and consistent with the proper care and preservation of the same.

Repeal.

SECTION 5. All laws inconsistent herewith be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 32.

A Supplement

To an act, entitled "An Act to promote the improvement of real estate by exempting mortgages and other money securities from taxation, except for state purposes, in certain counties in this commonwealth."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act of the general assembly of this commonwealth, entitled "An Act to promote the improvement of real estate, by exempting mortgages and other money securities from taxation, except for state purposes, in certain counties of this commonwealth," approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby extended to the counties of Armstrong, Beaver, Montour and Adams.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 33.

A Supplement

To an act, entitled "An Act to enable the board of school directors of the borough of Coudersport, in the county of Potter, to establish and maintain a graded school," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the Coudersport school district aforesaid are hereby authorized to charge a tuition fee for all scholars entering the high school department of the said graded school, and to enforce the collection of the same by refusing admission until the said fee shall be paid; and the said school directors are also hereby authorized to charge and

School directors may charge tuition fee for scholars entering high school.

May collect tuition fee from scholars residing outside of borough, &c.

Certain territory annexed to school district.

Directors may levy tax upon property in said territory.

collect a tuition fee as aforesaid, for all scholars who enter any department or grade of said school, whose lawful residence is without the limits of said borough of Coudersport and the township of Eulalia.

SECTION 2. That the whole of the territory contained in the East Fork road district, in the county of Potter, is hereby annexed to the said school district of Coudersport; and the board of school directors of said school district are authorized and empowered to levy and collect a school tax upon the assessed valuation of all property in said territory the same as they levy and collect upon the property within the original bounds of the said school district.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 34.

An Act

To authorize the school directors of Gibsonburg to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Gibsonburg, in Luzerne county, be and they are hereby authorized to borrow any sum of money, not exceeding ten thousand dollars, for building school houses in said borough, and to issue bonds for the same, in sums of not less than one hundred dollars, at not exceeding seven per centum per annum interest.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 35.

An Act

To authorize the board of school directors of the borough of Newtown, in the county of Bucks, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the board of school directors of the borough of Newtown, in the county of Bucks, and their successors in office, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding in the aggregate the sum of five thousand dollars, payable at a time not exceeding ten years from the date of such loan, for the purpose of building, erecting and appropriately furnishing a school house, to accommodate the rapidly increasing population of said borough, and for that purpose, as often as money shall be borrowed, to execute bonds in the name of the board of school directors of said borough, at a rate of interest not exceeding seven per centum, as they may deem proper; which bonds shall be signed by the president and attested by the treasurer of said board; and said bonds may have coupons attached for interest, and that the interest on the same may be made payable annually or semi-annually, as the board may provide at the time of issuing the said bonds: *Provided,* That no bond shall be issued for a less sum than one hundred dollars, and that said bonds so issued as aforesaid, shall be exempt from taxation, except for state purposes.

Authorized to borrow money and issue bonds.

SECTION 2. That said board of school directors, and their successors in office, are authorized and empowered to levy and collect annually, for the purpose of paying said loan, an amount of money over all moneys now authorized by law to be collected for school purposes, not exceeding five mills on the dollar of the assessed valuation of the property in said district.

Authorized to levy tax.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 36.

An Act

Authorizing the sale of certain real estate in the county of Montgomery.

WHEREAS, Bernard M'Credy, by deed dated February tenth, one thousand eight hundred and thirty-seven, recorded at Norristown, in deed book number fifty-three, page six hundred and sixteen, et cetera, conveyed unto the Right Reverend Patrick Kenrick, co-adjutor bishop of the diocese of Philadelphia, and his lawful successors, a certain lot of ground, hereinafter described, in trust for the use and benefit of the Roman Catholic members of the church worshipping or to worship in the church erected on the said lot :

And whereas, The buildings on the said lot are now dilapidated, and the church erected thereon has not been used for about eight years, by reason of the erection of another and larger church, wherein the members of the said religious faith have since worshipped, by reason whereof it is for the interest of all persons interested that the said premises, so as aforesaid conveyed by the said Bernard M'Credy, should be sold, and the proceeds thereof applied to, for the benefit of the said new church :

And whereas, The bishop of the said diocese of Philadelphia was a corporation sole by virtue of an act of assembly since in force, which said act of assembly has been repealed :

And whereas, By reasons thereof it is doubtful whether the said premises so as aforesaid, limited to the lawful successors of the said bishop, can be sold under the authority of the courts under existing laws, so as to secure to the purchaser a perfect title, unless such sale shall be legalized by an act of the general assembly :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Right Reverend James F. Wood, bishop of Philadelphia, and the successor of Bishop Kenrick, shall be and he is hereby fully authorized and empowered to sell at public or private sale, and convey to the purchaser or purchasers, in fee simple, a clear and indefeasible title, free and clear of all trusts soever, to a certain lot of land in the borough of Norristown, in the county of Montgomery, beginning at the western end of a twenty-four feet street, called Harper street, and the line of Maulsby and Moore's land, running along said line a north course one hundred and twenty-five feet to Washington street; thence along Washington street an easterly course ninety-two feet to a corner on the line of other lands of Bernard M'Credy; thence running a southerly course along said M'Credy's land to Harper street, one hundred and twenty-five feet; thence running a westerly course

along said Harper street ninety-two feet to the place of beginning; being the same premises which Bernard M'Credy conveyed to the said Right Reverend Patrick Kenrick, as in the preamble hereto is recited and set forth: *Provided*, That the said James F. Wood shall enter into a bond with security, to be approved by the president judge of the court of common pleas of Montgomery county, in double the amount of the purchase money, conditioned that he shall faithfully apply the same to and for the use and benefit of the Roman Catholic church now erected at Norristown aforesaid; which bond, so approved, shall be filed in the office of the prothonotary of the said court of common pleas; and on filing the same bond as aforesaid, so approved, the said James F. Wood may and shall convey to the purchaser a full and perfect and clear title for said premises, indefeasible and clear of all trusts.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 37.

An Act

To authorize the township authorities of the townships of Oliver and Bratton, and the borough authorities of the borough of M'Veytown, in the county of Mifflin, to purchase the turnpike leading from M'Veytown to the depot of the Pennsylvania railroad.

WHEREAS, By an act approved the fourteenth day of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act to authorize the building of a macadamized road between the bridge of the Mattawana Bridge Company, in Mifflin county, and at the east end thereof," the said Mattawana Bridge Company was authorized to build said road, and in default of said corporation constructing the same within two months from the passage of said act, the Mattawana Turnpike Road Company was authorized to construct the same, with the right to fix tolls, et cetera, which they have done: Preamble.

And whereas, The said road is very largely and chiefly used by the citizens and tax-payers of the borough of M'Veytown and the townships of Oliver and Bratton, in said county, and the tolls are very burdensome to them, and they are desirous of purchasing the same and making it free; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Burgess and council of M'Veytown borough and supervisors of certain townships to purchase road.

That the burgess and town council of the borough of M'Veytown, and the supervisors of the townships of Oliver and Bratton, Mifflin county, are hereby authorized and required to purchase said macadamized road from the said Mattawana Turnpike Road Company, within one month from the passage of this act, for the use of the public generally, and keep it an open, free and public road or highway: *Provided,* The cost of such purchase shall not exceed the sum of ten hundred and fifty dollars.

Cost of road limited.

Borough and townships to each pay one-third of purchase money.

SECTION 2. The said borough and townships shall each pay one-third of the money required to purchase the said road; and the said borough and township authorities shall forthwith proceed to levy and collect a tax for that purpose, in the mode borough and township taxes are usually levied and collected.

Authorities to levy tax.

To keep road in repair.

SECTION 3. That the said borough and townships are hereby required, after the said purchase shall have been made, to keep the said macadamized road in good and complete order and repair, and each shall contribute an equal amount or sum of money for that purpose, to be levied and collected as borough and road taxes are now levied and collected.

To give out repairs by contract.

SECTION 4. The said borough and townships are hereby required to give out the keeping of said road in repair as aforesaid by contract, by public sale, to the best and lowest bidder, annually, giving at least ten days' notice of the time and place.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 38.

An Act

To change the name of Lavinia Saunders to that of Lavinia Jane Lawrence, and to make the said Lavinia Jane the heir at law and adopted daughter of Mordecai Lawrence and Ann W. Lawrence, his wife, in Haverford township, Delaware county.

WHEREAS, Mordecai Lawrence and Ann W. Lawrence, his wife, of Haverford township, Delaware county, Pennsylvania,

have petitioned the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, to change the name of a child now living with them, called Lavinia Saunders, to that of Lavinia Jane Lawrence, and to have the same Lavinia Jane made the heir of the said Mordecai and Ann W. Lawrence; and the said Lavinia Saunders being over twenty-one years, the courts therefore have no jurisdiction:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Lavinia Saunders, formerly of Philadelphia, a child now living with Mordecai Lawrence and Ann W. Lawrence, his wife, in Haverford township, Delaware county, Pennsylvania, be and is hereby changed to that of Lavinia Jane Lawrence; and that she is hereby made the adopted daughter of the aforesaid Mordecai Lawrence and Ann W. Lawrence, with all the rights and privileges of a natural born daughter; and to be able and capable in law to inherit and transmit any estate whatsoever as fully and effectually as if she were the natural born daughter of the said Mordecai and Ann W. Lawrence.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 39.

An Act

To incorporate the Union Insurance Company of the city of Pittsburg, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Blackmore, Alexander Tindale, A. G. Cabbage, James Bowen, R. W. Tindle, M. D., James H. Hopkins, John Evans, William C. Dean, Henry A. Weaver, T. J. Blackmore, James L. Marshall, Frank Seibert, Robert Marshall, Calvin Adams, Thomas Fawcett, S. P. Large, J. C. Anderson, F. D. Geist, Jacob Strickrath, G. Stengel, Christ. L. Graff and W. S. Boyd, of Pittsburg, Allegheny county, are hereby appointed commissioners, who, or any five of whom, are author-

ized and empowered, from and after the passage of this act, to establish an insurance company, to be located in the city of Pittsburg, Allegheny county, of the name and title of the Union Insurance Company of Pittsburg, with a capital stock of one hundred thousand dollars, with the privilege of increasing the same to two hundred thousand dollars; and said company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, except section eight of said act, and be limited to the risks designated in the first class of section seven of said act; and that section third of said act be amended, allowing the payment of the stock of this company to be made in lawful money of the United States; the first payment of five dollars on each share to be made at the time of subscription, the residue to be paid as the by-laws of the corporation shall direct.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 40.

A Supplement

To the act to consolidate, revise and amend the penal laws of this commonwealth, so far as the same relate to the county of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any person or persons shall wilfully injure, destroy or remove any fence, railing or other work for the protection or ornament of any cemetery, grave-yard or enclosure therein, appropriated to and used for the interment of human beings in this commonwealth, or shall wilfully open any tomb, vault or grave within the same, and clandestinely remove any body or remains therefrom, or shall wilfully destroy any tree or shrubbery growing in such cemetery or grave-yard, or shall destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone or other edifice placed in any such cemetery or grave-yard, without the consent of the owner or owners of such monument or grave-stone first had and obtained, he, she

Violation of
sepulchre, rela-
tive to.

or they so offending shall be guilty of a misdemeanor, and on conviction of either of the said offences, be sentenced to undergo an imprisonment not less than thirty days nor exceeding one year, and to pay a fine not exceeding three hundred dollars.

SECTION 2. That so much of the act to which this is a supplement as is altered or supplied by this act, or is inconsistent therewith, be and the same is hereby repealed: *Provided*, That the provisions of this act shall apply only to the county of Beaver. Repeal.
Proviso.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 41.

An Act

Authorizing the court of quarter sessions of Lancaster county to grant a review on a road in the township of Bart, county of Lancaster.

WHEREAS, At April sessions, one thousand eight hundred and seventy, of the court of quarter sessions of Lancaster county, a petition was presented to vacate certain roads and lay out another in lieu thereof, in Sadsbury and Bart townships, in said county :

And whereas, Samuel Slokom, William M. Noble and Nathaniel Ellmaker, the viewers appointed by the court, made their report to the August sessions, vacating the roads designated and laying out another in lieu thereof, beginning at a post in the Smyrna road, in a line of Joseph M. Thompson's land, and a corner of William Proudfoot's, and ending at a post in the State or Valley road, near Jackson's lime kilns, which report was absolutely confirmed by the court at the November sessions following :

And whereas, If said proceedings are suffered to remain without any further action of the court they will prove exceedingly burdensome and oppressive to the people of Bart township ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the court of quarter sessions of Lancaster county be

empowered, on the petition of at least ten parties interested, to direct a second view or review, as if application had been made at or before the November sessions of the court, when the report upon the first view was absolutely confirmed, with power to stay all proceedings until the final action of the court in the premises.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 42.

An Act

To incorporate the Scranton Board of Trade.

Preamble.

WHEREAS, The business men of the city of Scranton have found it expedient to form themselves into an association, under the style and title of the Scranton Board of Trade, the objects of which are to promote the trade of the said city, and generally to take all proper measures for advancing the interests and promoting the commercial integrity of the mercantile community :

And whereas, The association has felt the necessity of an act of incorporation, by means of which their usefulness would be extended and the object of the association be more fully attained ; therefore,

Incorporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Title.

Powers and privileges.

That the persons who now constitute the association of the Scranton Board of Trade, and such persons as shall hereafter be admitted members of the same, shall be and are hereby declared to be a body politic and corporate, in deed and in law, by the name, style and title of the Scranton Board of Trade, to have succession, to plead and be impleaded, sue and be sued, in all courts of record or elsewhere, and to be capable to take, hold and enjoy lands, tenements, hereditaments, goods and chattels, and the same from time to time to sell, grant, demise, alien and dispose of, to have and use a common seal, and the same to break, alter or renew at pleasure: *Provided*, That the clear income of the estate by them held shall at no time exceed the sum of ten thousand dollars per annum.

Income limited.

SECTION 2. The officers of this corporation shall be elected Officers. annually, at the stated meeting of the association in January, to hold their offices for one year and until their successors are elected and qualified, and shall consist of a president, vice president, treasurer, secretary and executive council of twelve members; and the present officers of the association shall continue in their respective stations until an election shall be made under this act.

SECTION 3. That the said corporation shall have authority By-laws, &c. to make, ordain and establish such constitution, by-laws, rules and regulations relative to the concerns of the corporation as they may deem necessary and expedient: *Provided*, The same be not inconsistent with the constitution and laws of this state or of the United States; and the constitution, by-laws, rules and regulations of the association now in force, not inconsistent with the constitution and laws of this state or of the United States, shall be good and valid until altered, amended or abrogated by the corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 43.

An Act

Relative to the election of school directors in the Twenty-second, Twenty-fourth and Twenty-seventh wards of the city of Philadelphia, and to secure minority representation in the school boards of said wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter in the election of school directors in the Twenty-second, Twenty-fourth and Twenty-seventh wards of the city of Philadelphia, each elector shall vote for four persons, and the six having the highest number of votes shall be declared duly elected to serve for three years from the first day of January next succeeding their election. How school directors to be voted for.

SECTION 2. When vacancies occur in the school boards of said Twenty-fourth and Twenty-seventh wards, they shall be filled by the board in which they occur, until the first day of January next succeeding the next general election; and at How vacancies to be filled.

said next general election the electors of the ward where the vacancy may be, shall vote for additional persons sufficient to fill such vacancies, and those elected shall serve from the first day of January next succeeding their election for the unexpired term of the directors whose places have become vacant.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 44.

An Act

To authorize the commissioners of Delaware county to pay certain parties for the damages done by dogs their sheep the same as though the auditors had been sworn according to law at the time of making the appraisement.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Delaware county are hereby authorized to draw their warrants in favor of Thomas D. Johnson, and others who are in like situation at the time of the passage of this act, for the damages done to their sheep by dogs, the same as though the auditors of the different townships of said county had been sworn according to law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 45.

An Act

To authorize the court of common pleas of Cumberland county to decree the sale of a tract of land in Upper Allen township, Cumberland county, now held by the Methodist Episcopal church as a camp-meeting ground.

WHEREAS, John Dunlap, late of the city of Harrisburg, deceased, did by his last will and testament, dated the twenty-second day of March, Anno Domini one thousand eight hundred and fifty-six, devise a certain tract of woodland, situated in Upper Allen township, Cumberland county, containing twenty acres, to the Methodist Episcopal church a camp-meeting ground:

And whereas, The said land is too remote from the railroad for the purpose for which it was devised, and it is desirable that the said church procure a tract of land which will be convenient of access and well suited for the purpose of holding the camp-meetings:

And whereas, An application has been made to the courts of Cumberland county to authorize the sale of the said tract of land, and the investment of the proceeds in a more suitable tract to be used for the same purposes, and the said courts have refused to make the order applied for, because, in their opinion, the case did not come within the powers conferred by law for the sale of real property; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of Cumberland county be and it is hereby authorized and empowered, upon petition of the presiding elder of the Methodist Episcopal church for the Carlisle district of the East Pennsylvania conference, to appoint a trustee to make sale of said tract of land, and to convey the same to the purchaser or purchasers thereof by good and sufficient deeds for the same, and to empower and direct said trustee to invest the proceeds derived from the sale of the said tract of land in other real estate, which shall be held by the said trustee for the same purposes and uses as the tract devised by the said John Dunlap is now held.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 46.

A Supplement

To an act to incorporate the Birmingham, East Birmingham and South Pittsburg Gas Company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the Birmingham, East Birmingham and South Pittsburg Gas Company be and they are hereby authorized and empowered to increase the capital stock of said company, to a sum not exceeding seventy thousand dollars, in shares of twenty-five dollars each, the same to be in addition to the amount already authorized by the act of assembly to which this is a supplement.

President and directors may increase capital stock.

Name changed.

SECTION 2. That the corporate name and style of the above-mentioned Birmingham, East Birmingham and South Pittsburg Gas Company shall hereafter be the South Side Gas Company; and the said South Side Gas Company shall be and remain, for all intents and purposes, the true and legal successor to all the rights and privileges and subject to all the restrictions heretofore and herein granted to or imposed upon the said Birmingham, East Birmingham and South Pittsburg Gas Company.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W GEARY.

No. 47.

An Act

To incorporate the Lancaster County Monumental Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward Edgarly, H. R. Breneman, John P. Rea, R. W. Shenk, William H. Wiker, William D. Stouffer, Charles De-

Commissioners.

nues, Frederick S. Pyfer, A. C. Reinöehl, S. E. Wisner, Samuel Evans, John Peart, D. P. Rosenmiller, Henry Mullen, John H. Dulabon, Dr. S. P. Grey, Justus F. Diehm, W. T. T. M'Phail, Hiram Staum, Alexander Craig and Joseph M'Gowen, be and they are hereby constituted and appointed commissioners to contract for and superintend the erection of a monument to the memory of the soldiers and sailors of Lancaster county, who were killed or died in the military or naval service of the United States during the rebellion, to be erected within the city of Lancaster, on such spot as may be selected by the said commissioners.

To contract for and superintend erection of monument.

SECTION 2. That the said commissioners are authorized to select a plan and specifications and to issue proposals for the erection of the monument aforesaid, and make such contract or contracts as they may deem necessary for the erection of the same.

Authorized to select plan, &c.

SECTION 3. That said commissioners shall organize by the election of a president, secretary and treasurer, who shall be of their own body, and shall be authorized to require bonds of the treasurer for the proper performance of his duties.

Organization.

Treasurer may be required to give bonds.

SECTION 4. That all money or things of value heretofore subscribed or collected for the purpose of erecting the monument aforesaid be vested in the commissioners aforesaid; and the treasurer is hereby authorized to collect from and receipt to the treasurer of the Lancaster county monumental fair, or any person or persons holding any money or moneys realized for the building of said monument, for proceeds of said fair, or other proceeds, and to hold the same to the order of said commissioners for the purposes heretofore stated.

Moneys subscribed, vested in commissioners.

Treasurer may collect and receipt for moneys.

SECTION 5. That said commissioners are authorized to receive subscriptions, gifts, legacies and bequests for the object aforesaid, and shall make such rules and regulations as they may deem necessary.

Commissioners authorized to receive subscriptions, &c.

SECTION 6. The county treasurer of Lancaster is hereby authorized and required to pay over to the treasurer of said monumental association all military funds which have accumulated previous to the term of the present county treasurer, and all funds which have accumulated, or may hereafter accumulate, from the assessment and collection of militia or military taxes or fines, and which are not or may not be required by existing law or laws which may be enacted for the support and maintenance of the military companies of the said county.

County treasurer to pay over military funds.

SECTION 7. That upon completion of the monument aforesaid, the commissioners of the county of Lancaster are hereby authorized and required to take charge of said monument, by whom it shall be kept in preservation and repair, at the proper charge of the county of Lancaster.

County commissioners to take charge of monument upon completion.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 48.

An Act

Authorizing the school directors of Wellsboro' to invest surplus funds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Wellsboro' school district, in the county of Tioga, may loan, at such rate or rates of interest as they may be able to obtain, not less than six per centum nor more than ten per centum per annum, all moneys held or to be held by them in trust for the use of said district: *Provided,* That in making such loan, or loans, the security to be received therefor shall be loan certificates of the county of Tioga, of the government of the United States, or mortgage on unencumbered real estate, worth not less than double the amount of such loan, over and above the value of the buildings thereon erected.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 49.

An Act

To incorporate the Mount Joy Township Mutual Fire Insurance Company of Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Hoffer, Adam Reem, John H. Riser, Henry B. Reist, Jacob W. Nissley, Benjamin Breneman, and such other persons as may be associated with them under the authority of this act, and their successors, are hereby made a corporation, by the name of the Mount Joy Township Mutual Fire Insurance Company of Lancaster county, with all the legal incidents of a corporation aggregate, to have and enjoy all

Corporators.

Name.

the rights, powers and privileges, and be subject to the limitations and restrictions provided by the act of assembly, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," the business of said company to be transacted on the mutual principle exclusively. Subject to.

SECTION 2. The company shall have power to insure buildings and personal property against loss by fire, to which cases its risks shall be limited; it may charge such premiums and rates of insurance as shall be sufficient to meet all losses and expenses, but shall at no time assess more than five hundred dollars in excess of the amount required to cover any loss; it shall declare no dividends nor divide any surplus; it shall have the privilege of fixing the number of its directors and officers, and the time, place and manner of holding its elections and publishing its accounts, and of making by-laws for its government; the office of the company shall be situated in the county of Lancaster; and the persons named in this act shall be the first directors to organize the company, and shall continue in office until their successors shall be chosen. Powers and Privileges.
Office.
First directors.

SECTION 3. Said company shall have power to approve and adopt, with the consent of the insured, policies of insurance issued by the Mount Joy Township Fire Insurance Association of Lancaster county, existing prior to the granting of this charter, with the same effect and validity as the policies issued hereafter by the company. May adopt policies issued by Mt. Joy Township Fire Insurance Association of Lancaster county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 50.

A Supplement

To the act to enlarge the jurisdiction of justices of the peace and aldermen in the county of Lawrence, approved February twenty-fifth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if any plaintiff or plaintiffs shall elect or choose to commence his or their suit or action in the court of common*

pleas of said county of Lawrence, it shall be proceeded in trial and determined in the same manner and according to the same laws and practices as to costs, and all other matters, as though the act, entitled "An Act to enlarge the jurisdiction of justices of the peace and aldermen in the county of Lawrence," approved February twenty-fifth, Anno Domini one thousand eight hundred and seventy, had not been passed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 51.

A Supplement

To an act requiring the supervisors in the different townships in Cumberland county to keep the wing-walls and embankments of said county bridges in repair, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all repairing of wing-walls and embankments of county bridges made necessary by flood or high water, shall be done at the cost of the county; and all acts and parts of acts inconsistent herewith, the same be and are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 52.

An Act

To establish a uniform system of road laws in the county of Elk.

WHEREAS, The township of Millstone, in the county of Elk, is, under existing laws, subject to different regulations for the opening and maintenance of its roads, bridges and highways from those governing the remainder of said county:

Preamble.

And whereas, It is desirable that a uniform system of road laws should be established throughout said county; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk," approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five, together with the several supplements thereto, so far as they relate to the county of Elk, be and the same are hereby extended to the township of Millstone, in the county of Elk.

Provisions of certain act extended to Millstone township.

SECTION 2. That all acts and parts of acts inconsistent herewith be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 53.

An Act

Relating to vacating a portion of Tenth avenue, in the city of Altoona.

WHEREAS, The common council of the city of Altoona have passed a resolution to have Tenth avenue, between Twelfth and Thirteenth streets, in said city, vacated; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the action of the common council of the said city of Altoona, in relation to vacating a portion of Tenth avenue, is hereby ratified and confirmed; and that all that portion of Tenth avenue, in the city of Altoona, between Twelfth and Thirteenth streets, be and the same is hereby vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 54.

An Act

To repeal an act relative to county auditors of Lancaster and York counties, so far as relates to York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act relative to county auditors of Lancaster and York counties," approved March twenty-fifth, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as it relates to York county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 55.

An Act

To repeal an act relative to accounts of the county treasurers of Lancaster and York counties, so far as the same relates to York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act relative to accounts of the county treasurers of Lancaster and York counties," approved March seventeenth, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as it relates to York county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 56.

An Act

To authorize the board of revision of York county to subpoena witnesses and compel their attendance.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of revision of the county of York, in the performance of their duties in revising, correcting and equalizing valuations in said county, shall be and it is hereby authorized and empowered to subpoena and call before it and to examine, on oath or affirmation, all persons whose testimony the said board may deem necessary in relation to such valuations; and the said board shall have like power to enforce obedience to such subpoena, by attachment, as the court of common pleas of York county now by law possesses.

Board of revision authorized to subpoena and examine witnesses.

May issue attachments.

SECTION 2. The fees and mileage of all persons called to testify before said board shall be the same as is now allowed by law to witnesses in the courts of common pleas of York county.

Fees and mileage of witnesses

Penalty for failing to appear before board.

SECTION 3. That all persons neglecting or refusing to appear before said board, in obedience to such subpoena, shall forfeit and pay the sum of twenty-five dollars, for the use of the county, to be sued for and recovered as debts of like amount are now by law recoverable.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 57.

An Act

To repeal so much of the law relating to registers and registers' courts as requires notice by handbills of the filing and allowance of accounts, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same.* That so much of the thirtieth section of the act of fifteenth March, Anno Domini one thousand eight hundred and thirty-two, relating to registers and registers' courts, as requires registers to post up notices of the filing and allowance of accounts in six of the most public places in the county, be and the same is hereby repealed, so far as relates to the county of Chester.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 58.

An Act

Supplementary to an act, entitled "A supplement to an act for the better management of Allegheny county prison," approved the first day of February, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of enabling the board of managers of the Allegheny county work-house to erect, complete and finish the buildings and improvements commenced and contemplated by them, under the provisions of the act to which this is a supplement, the commissioners and controller of Allegheny county are hereby authorized and directed to issue bonds, registered, based on the faith and credit of said county, to an amount not exceeding one hundred thousand dollars, of denominations of one thousand, five hundred, and one hundred dollars each, as may be desired, bearing seven per centum interest, payable semi-annually, and redeemable at the end of ten years from April first, one thousand eight hundred and seventy-one; said bonds shall be delivered to the said board of managers of the Allegheny county work-house, from time to time, in such sums as may be required, and the proceeds of these bonds shall be applied, by said board of managers, strictly and solely for the purpose contemplated in this act.

County commissioners and controller authorized to issue bonds.

SECTION 2. For the payment of interest and ultimate liquidation of the bonds so issued, the commissioners and controller of said county are hereby authorized to continue the special tax of one mill on the assessed valuation of Allegheny county, authorized under the fifteenth section of the act to which this is a supplement; out of the proceeds of said special tax shall first be paid the interest on the outstanding bonds issued by virtue of the fourteenth section of said act to which this is a supplement and the interest on the outstanding bonds issued by virtue of this act; the balance or residue of said proceeds shall then be applied to a sinking fund for the redemption and cancellation of the bonds issued under this act, to which this one is a supplement, shall apply and become a part of this act.

May continue special tax authorized by former act.

How proceeds of tax to be applied

SECTION 3. For the purpose of defraying the necessary expenses that will be incurred in keeping the prisoners and managing said work-house through the year one thousand eight hundred and seventy-one, the commissioners and controller of said county are hereby authorized to levy and appropriate for the said year one thousand eight hundred and seventy-one, a special tax of one mill on the assessed valuation of Allegheny county; the proceeds of this special tax

Special tax for present year, authorized.

shall be paid over to the said board of managers for the purposes mentioned in this section.

Executors, &c.,
may invest in
bonds.

SECTION 4. That it shall be lawful for any executor, administrator, guardian, or any other trustee, to invest the money of their *cestui que trust* in the bonds authorized by this act, as well as all other bonds authorized under previous acts for like purposes.

Bonds to be free
from taxation.

SECTION 5. The bonds authorized to be issued by this act shall be free from local taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 59.

An Act

To establish the times for holding the several courts in and for the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the several courts for the county of Luzerne shall be held as follows, to wit: The courts of common pleas and orphans' court, in each and every year hereafter, on the first Monday of January, to continue two weeks; on the second Monday of February, to continue three weeks; on the first Monday of April, to continue two weeks; on the third Monday of October, to continue two weeks, and on the second Monday of November, to continue two weeks; the courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace, for said county, shall be held in each year hereafter on the third Monday in January, to continue two weeks; on the third Monday of April, to continue two weeks; on the second Monday of September, to continue two weeks, and on the fourth Monday of November, to continue two weeks, unless otherwise ordered.

When courts to
be held.

Courts of oyer
and terminer
and quarter ses-
sions may con-
tinue terms.

SECTION 2. That the said courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace for said county, may at any term or session direct the said courts to continue at the then following term or session one or more weeks in addition to those already appointed by the first section of this act; and for such additional week, or

weeks, to issue venires for traverse jurors, as required for the regular terms or sessions, and may also, if necessary in the opinion of said courts, continue on any of said courts, (the regular terms or sessions inclusive,) during a next succeeding week, and detain the general panel of traverse jurors in attendance without the issuing of a new venire for the said additional week, and enforce the attendance of parties and witnesses during such continued terms and sessions by all proper orders and process.

May issue venires for jurors, or detain general panel.

May enforce attendance of parties.

SECTION 3. That this act shall go into effect immediately subsequent to the termination of the February term of the common pleas and orphans' court for the year one thousand eight hundred and seventy-one.

When act to take effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 60.

An Act

To authorize the Pennsylvania Railroad Company to subscribe for or purchase the capital stock and to guarantee the payment of the principal and interest of the bonds of the American Steamship Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Pennsylvania Railroad Company to subscribe for or to purchase the capital stock and to guarantee the payment of the principal and interest of the bonds of the American Steamship Company of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 61.

An Act

Supplementary to the acts relating to lateral railroads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all proceedings now pending, or which may hereafter be instituted to procure the right to construct lateral railroads, or for the acquisition of wharves or landings, or for either of said purposes, the appeal to court from the report of the viewers shall extend not only to the assessment of damages but to the question of the necessity of the proposed lateral railroad, wharf or landing, and shall also extend to the question whether such landing or wharf is necessary to the owner thereof, for his own uses or purposes; and if the jury shall so find, the same shall not be taken from him.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 62.

An Act

To authorize corporations to subscribe for or purchase the capital stock and to purchase the bonds of the American Steamship Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for private corporations, created by or doing business in this commonwealth, to subscribe for or to purchase the capital stock and bonds of the American Steamship Company of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 63.

An Act

In relation to roads in Greenville, Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess and town council of the borough of Greenville, in the county of Mercer, are hereby authorized and empowered to grade and pave, or contract for the grading and paving of any street, lane or alley within said borough, or for the macadamizing thereof, or of any part of such street, lane or alley, they may from time to time deem expedient; and if let by contract, public notice of the time and place shall be given, and such contract shall be let to the lowest bidder, who shall be of sufficient responsibility for the performance of such contract; bidders shall give good and sufficient security, in one or more persons, as shall be required, for the faithful performance of their contract; and at any time after the letting of such, or if not let by contract, as soon as such work is begun, the burgess and council shall assess the whole or any part of the cost thereof against the owners of the lots or lands fronting upon such street, or part of street, lane or alley, in proportion to the fronts thereon, each to the centre thereof, and within five days after such assessment is completed, make out duplicate bills, one of which shall be delivered to each of said owners, if residing in said borough, or if not found, then by posting it upon the premises; the other shall be delivered to the borough treasurer, who shall give public notice in one newspaper of the time when and place where such payment is required; and if any such owner or owners shall neglect to make payment, as required by such notice, for the space of thirty days, the said treasurer shall furnish the borough solicitor with the amount assessed against such delinquent, and the metes and bounds of the lot or lots, whose duty it shall be to proceed to collect the same as debts of like amount are collectible, or file a lien against such lot in the court of common pleas of said county, with like effect and remedy as given by law in the collection of mechanics' liens, with ten per centum additional for his collection fees.

SECTION 2. The name of each of such owners who shall have fully paid the amount thus assessed against him as aforesaid shall be registered in the borough books, with the amount opposite it, and the same shall be credited to him or her as advance payment upon borough taxes thereafter to be assessed upon such lot, until that amount would be accumulated under the ordinary assessments, without interest.

SECTION 3. That the burgess and town council of said borough are hereby authorized and empowered to require the property owners of lots to maintain, repair and renew the side-walks in front of their respective lots, from time to time,

Burgess and council may have streets graded and paved.

Contracts for performance of work.

Cost to be assessed on property owners.

Bills to be delivered to property owners and borough treasurer.

Treasurer to give notice of time and place of payment.

Failure to make payment.

Names of owners to be registered and amounts paid credited upon borough taxes.

Burgess and council may require property owners to repair side-walks.

and to have the like remedy for the enforcement thereof as they now have in requiring them to pave or lay side-walks.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred seventy-one.

JNO. W. GEARY.

No. 64.

A Supplement

To the act to incorporate the Wyoming Valley Gas and Water Company, approved April third, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the incorporators named in the act to incorporate the Wyoming Valley Gas and Water Company, approved April third, one thousand eight hundred and sixty-nine, be and they are hereby changed in the following manner, viz: All the names in the said act of incorporation, except the names of Ira Devenport, E. C. Wadhams and Frank Turner, shall be and are hereby struck out as incorporators from said act, and the names of Thomas Long, Reuben J. Flick and Calvin Parsons be and are hereby added to the incorporators in said act remaining, with full power to act therein.

Incorporators
changed.

SECTION 2. That the said Wyoming Valley Gas and Water Company shall have the right to take water from any river, creek or pond or lake, and to construct and erect the necessary buildings and machinery, to take and use any such waters, and lay down pipes and aqueducts to conduct the same, and to enter upon any lands for the purpose of erecting buildings and machinery and laying down pipes and aqueducts, and for procuring materials therefrom, by making compensation to the owners of such lands, in the same manner and under like proceedings as are provided and required for the taking of lands and materials by railroad companies, by the tenth and eleventh sections of an act regulating railroads, approved February nineteenth, one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same may be applicable hereto.

May take water
from streams,
erect works, &c.

Damages to
land owners.

May occupy
public common.

SECTION 3. That the said Wyoming Valley Gas and Water Company shall have the right to enter upon, occupy and use

so much of any public common as may be necessary for carrying out the provisions and intentions of this act, and the act to which it is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 65.

An Act

To incorporate the Fire Insurance Patrol of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Atwood Smith, Alfred G. Baker, John Wilson, Jr., Charles Platt, Conrad B. Andress, Samuel Sparrhawk, Henry R. Coggsall and W. G. Crowell, and such other persons as

may hereafter be associated with them, be and they are hereby created into a body politic and corporate, by the name, style and title of the Fire Insurance Patrol of the city of Philadelphia, and as such corporation shall have authority to hold and use a common seal and the same to change, alter or amend at pleasure, and by the style and title aforesaid shall be capable in law to sue and be sued, and the company may make all needful rules, regulations and by-laws for the well-ordering of the business and affairs of the corporation, and elect and appoint such officers and agents as may by them be deemed necessary: *Provided*, That no such by-laws shall in any wise conflict with or be contrary to the constitution and laws of the United States or this commonwealth.

Corporators.

Title.
Powers and
privileges.

SECTION 2. That the corporators named in this act shall elect persons to serve as directors of the corporation, of such number and with such qualifications as may be prescribed by the by-laws, and they shall hold their office until their successors shall have been elected in accordance with said by-laws.

Directors.

SECTION 3. The object of the corporation shall be to protect and save life and property in or contiguous to burning buildings, and to remove and take charge of such property, or any part thereof, when necessary.

Object.

SECTION 4. The said corporation shall have power to provide suitable places for the transaction of its business, and also to provide a patrol of men, and a competent person to

May provide
places for trans-
action of busi-
ness, patrol of
men, &c.

Superintendent
and patrol may
enter buildings
and remove prop-
erty.

act as superintendent, with suitable apparatus to save and preserve life or property at or after a fire; and the better to enable them so to act with promptness and efficiency, full power is hereby given to such superintendent, and to such patrol, to enter any building on fire, or which may be exposed to or in danger of damage from fire or water, and at once proceed to protect and endeavor to save the property therein, and to remove such property, or any part thereof, during or after such fire; nothing in this act, however, shall warrant any interference with the orders of the chief engineer of the fire department in reference to the action of the firemen in their duties in extinguishing a fire: *Provided*, That nothing herein contained be construed to affect or interfere with the powers or duties of the officers of the police department of the city of Philadelphia, at fires occurring within the limits of the said city.

Previso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 66.

A Supplement

To an act, entitled "An Act to fix monthly return days in the courts of Clearfield, Perry and Centre counties," approved the eighteenth day of April, Anno Domini one thousand eight hundred and seventy, extending the same to Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act of assembly, entitled "An Act to fix monthly return days in the courts of Clearfield, Perry and Centre counties," approved the eighteenth day of April, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the county of Clinton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 67.

An Act

To change the terms of the several courts of the county of Carbon, commencing on the Mondays following the fourth Mondays of September and December in each year.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the terms of the several courts of the county of Carbon, commencing on the Mondays following the fourth Mondays of September and December in each year, be and the same are hereby changed and shall hereafter commence on the second Mondays of September and December of each year.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 68.

An Act

Relative to the fees of mercantile appraisers in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy, entitled "An Act supplementary to the several acts relative to mercantile appraisers, so far as the same apply to Erie county," as relates to the fees of mercantile appraisers in the county of Erie, be and the same is hereby repealed

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 69.

An Act

Authorizing the commissioners of Allegheny county to provide an office for the coroner of said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Allegheny county are hereby authorized and required to provide a convenient room or rooms in a suitable place in the city of Pittsburg, or at some other suitable place, and furnish the same in a suitable manner, with all the necessary fixtures appertaining thereto, for the comfort, use and accommodation of the coroner of said county, and pay the expense attending the same out of the funds of said county as other county expenses are paid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 70.

An Act

To authorize the filling of the jury wheel in the county of Cameron.

WHEREAS, The jury wheel in the county of Cameron has not been filled for the year one thousand eight hundred and seventy-one, and there are now no names therein from which to draw the juries for the courts to be held in said county during the year Anno Domini one thousand eight hundred and seventy-one; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the jury commissioners and associate judges of the said county of Cameron, or any two of them, be and they hereby are authorized and required to meet at the seat of justice, in said county, on or before the first day of March next, and

thereupon proceed to select alternatively from the whole qualified electors of said county, at large, four hundred sober, intelligent and judicious persons, and place the names of the persons so selected in the jury wheel, as directed by the provisions of the act, entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this commonwealth," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven; and after said wheel is so filled, the jury commissioners or associate judges filling the same, together with the sheriff or deputy sheriff of said county, shall at once proceed to draw therefrom the panels of grand, petit and traverse jurors required for the next April term of the courts to be held in and for said county of Cameron.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No 71. •

An Act

To authorize the First Presbyterian church of Germantown, Twenty-second ward, city of Philadelphia, to sell real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the First Presbyterian church in Germantown be and is hereby authorized and empowered to sell, at public or private sale, all or any part of the real estate of the said corporation, situate on the north-easterly side of the main street, or Germantown avenue, in Germantown, in the Twenty-second ward of the city of Philadelphia, except that part thereof now used as a burial ground; which real estate was conveyed to the said corporation by George Reese, Esquire, high sheriff of the city and county of Philadelphia, by deed poll, under his hand and seal, dated the sixteenth day of July, Anno Domini one thousand eight hundred and thirty-two, duly acknowledged in open district court for said city and county, and recorded in the office for recording deeds, et cetera, at Philadelphia, in deed book A M, number twenty-seven, page eighty-five, et cetera, for such price or prices, at such time or times, and upon such terms of payment as to the said cor-

poration may seem best; and by good and sufficient deed or deeds in the law, to grant, convey and assure the same to the purchaser or purchasers thereof, in fee simple or otherwise, clear and discharged of all trusts whatsoever, and without any liability on the part of the purchaser to see to the application of the purchase money: *Provided*, That the purchase money received from said real estate shall be invested in other real estate, to be held by the said corporation to and for the same uses and purposes for which the said real estate hereby authorized to be sold is now held, and for no other purpose whatever.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 72.

An Act

To exempt Old Oaks Cemetery from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Old Oaks Cemetery, situated in the Twenty-eighth ward of the city of Philadelphia, chartered by the court of common pleas of the city and county of Philadelphia, the twenty-first day of September, one thousand eight hundred and sixty-eight, be and is hereby exempted from the payment of all taxes except state taxes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 73.

An Act

To incorporate the International Exhibition Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John W. Everman, Henry B. Tatham, Theodore Julius, E. W. C. Green, William Adamson, John W. Forney, Richard Brennan, John H. Graham, J. G. Repplier and Joseph H. Livingston, their associates, successors or assigns, are hereby created and declared a body politic and corporate, by the name, style and title of the International Exhibition Company, and by that name and title shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatever, have a common seal and may alter the same at pleasure.

Corporators

Title.

Privileges.

SECTION 2. The said company is hereby authorized, either permanently or periodically, in structures, buildings, enclosures and places located in Philadelphia, Pennsylvania, or elsewhere, suitable for exhibition purposes, competitive or otherwise, and for the promotion of the industries, arts and sciences generally, to exhibit any and every variety of thing and being found in animal and vegetable life, to exhibit products, goods, wares, merchandise, machinery, mechanical inventions and improvements of every nature, name and kind, and such as are generally exhibited at fairs, to exhibit paintings and statuary of any and every nature and kind, to exhibit and develop the points and qualities of the various breed of horses and other animals, by such competitive tests as may be humane and proper and as may be deemed expedient, and to make such other exhibitions as will be in conformity with the purposes and object of this act; and the said company is hereby further authorized, in carrying on and maintaining the business aforesaid, and such other business as may be hereinafter mentioned, to hold, own and acquire, by lease, purchase or gift otherwise, property, real, personal and mixed, at such prices and on such terms and conditions as may be agreed upon, and may improve and use the same by the construction of such houses, buildings, works and improvements as are necessary, and as may be deemed proper; and the said company is hereby further authorized to cultivate such portion of their grounds as they may deem proper, for the propagation of plants, et cetera, of a vegetable nature, and also to manufacture and raise articles and things required in the various exhibitions contemplated.

Authorized to give exhibitions

May hold and improve property.

May cultivate grounds and raise articles for exhibition.

SECTION 3. The said company is hereby authorized to charge such admission fees as may be deemed proper, to receive for exhibition everything animate and inanimate contemplated by this act, to award and to pay to exhibitors such

May charge admission fees, award medals, &c.

prizes, medals and honorary distinctions as they shall deem proper; and to lease, let or own stalls, stands, rooms and places in any of their buildings or structures, or any part of their property, upon such terms and conditions as the board of directors shall deem best for the interests of the said company and for the advancement of science, art, agriculture, commerce and literature.

May purchase and sell articles on exhibition, transfer property, &c.

SECTION 4. The said company is hereby authorized to purchase, hold, own and sell any and all articles or things, including animals, placed in or on their property for exhibition and keeping, at such prices and on such terms as they may deem proper; to grant, lease, let, mortgage, transfer and convey any portion or the whole of their property, and to re-place the same by other purchases, at such price and on such terms and conditions as they may deem best; and the said company is hereby further authorized to construct an athenæum or hall for lecture and library purposes, and also places for gymnastic and athletic exercises, and to allow, by lease or otherwise, the use of the same, on such terms and conditions as may seem best by the board of directors, and generally shall have power to carry on in their buildings and on their grounds all legal and proper business.

May construct athenæum and places for athletic exercises.

Certificates of stock.

SECTION 5. The said company is hereby authorized to issue certificates of stock, from time to time, representing the actual as well as the prospective business of the company, and also their property, in such form and subject to such rules and regulations as the board of directors may prescribe; and the said stock may be sold and issued at the par value of the shares fixed by the board of directors, or at such price and on such terms and conditions as the board may from time to time prescribe, and be issued at par and declared fully paid and not liable to further assessments or calls; the payments or the consideration for the said stock may be made or given in cash, real estate, personal and mixed property, or for labor performed or to be performed, or for expenses incurred; the said company may commence business when fifty thousand dollars of the stock shall have been subscribed and five per centum thereon has actually been paid in manner and form as provided in this section of the act.

Sale, &c., of stock.

When business to be commenced.

Authorized to borrow money and issue securities therefor.

SECTION 6. The said company is hereby authorized to increase their resources, from time to time, by borrowing money upon a pledge of their property, or without such pledge, at any rate of interest that may be agreed upon between the said company and any person or party or corporation of whom said money may be obtained, and may make, execute and deliver all necessary writings, notes, bonds, with or without coupons, and mortgages or other papers and securities, in amount and kind that may be deemed expedient by said corporation, in consideration of such loan, or in discharge of any liabilities that may be assumed in the purchase or the lease of their real, personal and mixed estates, or in the construction of their buildings and other improvements and in the carrying on their business, and may sell the securities hereby authorized to be created, at such price and on such terms and conditions as may be deemed best by the board of directors,

and may also hypothecate the same as security for money loaned or advanced the said company.

SECTION 7. The said company shall have power and is hereby authorized to make such by-laws as they may deem proper to enable them to carry out the objects and purposes of the corporation and for the government and direction of its affairs, and to alter, add to, amend or repeal the same at pleasure; such by-laws not to be contrary to the constitution of the commonwealth or the provisions of this act; a majority of the corporators named in this act shall have power to elect or appoint such number of persons to serve as the first board of directors of the said company as they may deem expedient, a majority of whom, the said directors, shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been chosen in accordance with the by-laws hereby authorized to be adopted; the directors of the said company shall elect or appoint a president, one or more vice presidents, a secretary and a treasurer, or may combine the two last offices, and such other offices, agents and attachees as they may deem advisable, and at such salaries as may be deemed proper, and may remove the same at pleasure, and abolish all offices not necessary in conducting and maintaining the business of the company; and it shall be lawful for the said company to locate their offices, agents and attachees and to establish the necessary offices for the transaction of their business wherever the business of the company may require; a failure to elect or appoint directors, or to fill vacancies of any kind, which power is hereby given, shall not affect the existence of the corporation or prevent an election or appointment at any time.

SECTION 8. The stockholders shall be individually liable for materials furnished and labor performed only to the amount remaining unpaid on the stock held by them respectively.

SECTION 9. The governor is hereby authorized and directed to issue letters patent to the whole or a majority of the corporators named in this act, or to their assigns, whenever fifty thousand dollars of the stock shall have been taken or subscribed and five per centum paid, as provided for in this act, satisfactory certificate of this fact first having been made to the governor.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 74.

An Act

To appoint one additional notary public in the borough of Saulisbury,
in the county of Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is hereby authorized and empowered to appoint one additional notary public for the county of Somerset, to hold his office in the borough of Saulisbury.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 75.

An Act

For the relief of J. A. Duncan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby required to pay to J. A. Duncan, assistant serjeant-at-arms of the senate, the sum of twenty-eight dollars, to cover the amount of his expenses to Washington, D. C., on business connected with the postage on the Legislative Journal.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 76.

An Act

To extend the limits of the borough of Indiana, in Indiana county.

WHEREAS, Certain citizens of White township, in the county of Indiana, on account of the recent incorporation of the borough of West Indiana, are deprived of many privileges which they enjoyed prior to the said incorporation, which privileges may be restored to them by annexing them to the borough of Indiana, to which they live adjacent :

And whereas, There are not twenty resident freeholders within the proposed boundary and therefore the court has no jurisdiction to grant them relief; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that portion of White township, in the county of Indiana, lying on the southern side of the borough of Indiana, included and bounded by a line beginning at a point on the southern boundary line of said borough, forty rods from the south-east corner of said borough; thence south along line of woodland of James M'Crackin, Jacob Fobler and Frederick Diffenbach, eighty-five rods, to the line of James P. Carter's lands; and thence by the line of said Carter and others west to the eastern side of the Blairsville and Indiana public road; thence by the said eastern side of said road to the borough line aforesaid, and thence by the borough line to the place of beginning, be included and incorporated in the borough of Indiana, and become part of said borough for all purposes as fully as enjoyed by the citizens of the said borough.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 77.

An Act

Supplementary to an act incorporating the Elk Lick Coal, Lumber and Iron Company, approved April thirteenth, one thousand eight hundred and sixty-eight, changing the name, increasing the number of directors and the capital of said company, reducing the par value of its shares, and changing the qualifications of the directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the Elk Lick Coal, Lumber and Iron Company shall be named the Salisbury and Baltimore Railroad and Coal Company, with all the powers and privileges conferred by the act to which this is a supplement or to which it is entitled by existing laws.

Name changed.

Number of directors fixed.

Quorum.

Par value of stock reduced.

Stockholders may increase capital.

SECTION 2. The board of directors of said corporation shall hereafter consist of nine members, who may be citizens of other states; a majority of the board shall constitute a quorum.

SECTION 3. That the par value of the stock of said corporation shall hereafter be fifty dollars per share, to which amount the same is hereby reduced.

SECTION 4. The stockholders of said company shall have the right to increase their capital to an amount not exceeding five hundred thousand dollars beyond the maximum capital authorized by their charter.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 78.

An Act

To authorize the Greensburg Masonic Fund to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Greensburg Masonic Fund be and they are hereby authorized and empowered to borrow any sum of money not exceeding, in the aggregate, fifteen thousand dollars, for any period not exceeding twenty years, and at any rate of interest not exceeding seven per centum per annum, and to issue their bonds therefor, upon such terms and conditions, secured by mortgage or otherwise, as they may deem expedient, and which loan shall be exempted from all taxation except for state purposes.

Authorized to borrow money and issue bonds.

SECTION 2. That the second section of a supplement to an act to incorporate the Greensburg Masonic Fund, which supplement was approved March sixth, one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

Second section of act of March 6, 1868, repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 79.

A Supplement

To the charter of the Masonic Deposit Savings Bank of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Masonic Deposit Savings Bank of Pittsburg shall have power to increase the number of directors from nine, the present number, to thirteen.

May increase number of directors.

SECTION 2. The present directors are authorized to elect four additional directors, to act in conjunction with them, until the next regular annual election, at which time the whole number of thirteen shall be elected by the stockholders as provided for in charter.

Present directors may elect additional directors.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 80.

An Act

To empower the court of common pleas of Crawford county to authorize the commissioners to levy and collect not exceeding three mills additional tax for county purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the application of the commissioners of Crawford county to the court of common pleas thereof, said court, after careful examination and being satisfied of its necessity and propriety, may authorize them, the said commissioners, to assess and levy a tax not exceeding three mills on the dollar over and above the amount now allowed to be assessed and levied for county purposes; said three mills on the dollar to be levied on the same valuation and to be collected in the same manner that other assessments and levies are collected, and to be applied exclusively to the liquidation of the outstanding liabilities of the county: *Provided,* That the provisions of this act shall only extend to the year eighteen hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 81.

An Act

To authorize and empower the orphans' court of Armstrong county to sell certain real estate and personal property in said county.

WHEREAS, Alexander Colwell, late of the borough of Kittanning, Armstrong county, Pennsylvania, deceased, by his last will and testament, proved the sixteenth day of December, one thousand eight hundred and sixty-eight, after sundry other bequests did, among other things, provide as follows: "Item: I give, devise and bequeath to my nephew, John A.

Colwell, who has so long been engaged with me in the Mahoning iron works, as a partner, and having exclusively managed the said works during the whole time, and to my entire satisfaction, as well for his own protection in carrying on said business as for the benefit of my two daughters, Sarah Ann Crawford and Amanda Colwell, the undivided half interest in all the following real and personal estate, the same being my entire interest in the same, in trust, nevertheless, for the purposes, uses and designs hereinafter mentioned: First—All the personal property in, about or belonging to the Mahoning iron works, or to John A. Colwell & Co., as proprietors, such as horses, mules, carts, wagons, merchandise and everything of a personal nature belonging to said firm of John A. Colwell & Co., as owners of said Mahoning iron works, at the time of my decease; and also the rest and residue remaining unsold at the time of my decease, of the following tracts of land, all situate in the county of Armstrong and state of Pennsylvania," which are fully described in said will. * * * * *

"And I hereby authorize and empower said John A. Colwell, as trustee, in connection with himself as partner, to carry on said furnace, or Mahoning iron works, and the making of iron at the same so long and for such a length of time as he for himself and as such trustee shall and may deem advisable and profitable; to attend to all the business of said furnace, as trustee and partner, the same as he has always done, without any disturbance or direction whatsoever from those interested in said trust estate, to the best of his judgment, skill and ability, rendering only such proper returns of the profits and proceeds thereof as hereinafter provided and required, and to and for the use of those hereinafter mentioned. * * *

And should said John A. Colwell, trustee as aforesaid, deem it advisable at any time hereafter, and for the best interests of the trust estate, as himself, to entirely abandon the manufacturing of iron or metal, at the said Mahoning iron works, for any cause, it is then my will, and he is hereby authorized and directed to do so, and to account to my two daughters, Sarah Ann Crawford and Amanda Colwell, for the rents, issues, profits and proceeds, either arising from the manufacture of iron or the sale of real or personal property:"

And whereas, Since the probate of said will circumstances have arisen that make it impossible to carry on said trust estate in accordance with the terms of said will, and the same must be terminated either in the way prescribed by the will or by the orphans' court:

And whereas, It is represented that a termination of said trust estate, by an abandonment of the manufacture of iron and the sale of the property, would entail a loss of at least ten thousand dollars to the *cestui que trusts* and the same to the trustee; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on the petition of John A. Colwell, trustee under the will of Alexander Colwell, for certain real and personal pro-*

perty, concurred in by the *cestui que trusts* under the will of the said Alexander Colwell, the orphans' court of Armstrong county is hereby authorized and empowered to direct a sale of the aforesaid trust estate, either at public or private sale, entirely for cash or partly for cash and partly on time, for such a price as to said court shall seem just and proper; and upon returns of said sale, which may be made, if a private sale, to the same term to which the petition is presented, and if the said court shall confirm the same, they shall order and decree good and sufficient deeds in fee simple to be executed to the purchasers for the real estate, and some proper transfer of the personal estate; if the said court shall direct a public sale, such sale shall be held at the earliest practicable day.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 82.

A Supplement

To an act, entitled "An Act relative to the Lancaster county prison," approved the nineteenth day of February, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next general election ensuing the passage of this act, and in every second year thereafter, the electors of Lancaster county shall, in the manner prescribed by law for the election of members of the house of representatives of this commonwealth, elect one suitable person to be keeper of said prison; and the return judges of the election of the said county of Lancaster shall, immediately on receiving the returns from the election districts and casting up the number of votes therein, or within three days thereafter, certify the name of the person so elected to the prothonotary of the said county, who shall file the said certificate in his office and forthwith give notice, in writing, to the said keeper of his election; and the said keeper so elected shall, after complying with the provisions of the act to which this is a supplement, enter upon the discharge of the duties of said office at the

Keeper of prison
to be elected.

expiration of the term of the present keeper, and be subject to all the rules and regulations of the said prison now in existence, except as hereinafter provided or that may from time to time hereafter be agreed upon by the proper authorities; and in case of the death, resignation or removal, for cause, of any keeper so elected, it shall be the duty of the board of inspectors to appoint a suitable person to fill such vacancy during the remainder of the official year in which such vacancy may occur, and at the ensuing general election the qualified voters of the county shall elect a keeper for the full term of two years.

How vacancies
to be filled.

SECTION 2. That the keeper shall be paid a yearly salary of twelve hundred dollars, in equal quarterly payments, and shall not be charged with house rent, fuel, light or boarding for himself or family proper; the said salary and allowances, however, to be in full for all services rendered.

Salary of keep-
er. &c.

SECTION 3. It shall be the duty of the inspectors to provide, at the expense of the county, all food and such other articles as may be necessary for the use of the prison and those confined therein, and publish, with their annual report, a detailed statement, under oath or affirmation, of articles purchased, prices paid and to whom, average number of prisoners fed daily, number of meals furnished and the average and aggregate cost thereof, list of articles manufactured and the value thereof, goods sold and the amount received therefor, and such further information as may be necessary to a full and complete knowledge on the part of the public of the management of the said prison.

Duty of inspec-
tors.

SECTION 4. All laws and parts of laws inconsistent herewith are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 83.

An Act

Authorizing the court of quarter sessions of Lancaster county to grant licenses to keep inns or taverns to Raphael Fisher et al., and restaurant licenses to Hilaire Zæpfel et al., in Lancaster city and county.

WHEREAS, The tavern licences of Raphael Fisher, at the Reading depot, in Lancaster city, of Laurence Suter and

Martin Lefever, of Eden township, Lancaster county, and the eating-house or restaurant licenses of Hilaire Zæpfel and J. B. Libkicher, of Lancaster city, and Rudolph Kief, of Mount Joy township, Lancaster county, could not be granted by the court of quarter sessions of Lancaster county, at January sessions, one thousand eight hundred and seventy-one, by reason of the petitions having been filed in the clerk's office a day less than the time required by law, they being all old stands, and the advertising and all other requisitions of the license laws having been complied with in each case; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the court of quarter sessions of Lancaster county, at any time when in session, are hereby authorized and empowered to grant the aforesaid licenses of Raphaël Fisher, Laurence Suter, Martin Lefever, Hilaire Zæpfel, J. B. Lebkicker and Rudolph Kief, in the same manner as if their petitions had been filed in the clerk's office the requisite length of time.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 84.

An Act

To authorize the board of school directors of the township of Plains, in the county of Luzerne, to borrow money and issue bonds therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the township of Plains, in the county of Luzerne, be and they are hereby authorized to borrow, upon the credit of the said school district, any sum of money, not exceeding ten thousand dollars, for a term not exceeding ten years, and to issue bonds for the same, signed by the president and attested by the secretary of said board, in sums not less than one hundred dollars, bearing interest at a rate not exceeding eight per centum per annum,

payable semi-annually, for the purpose of paying for lots and erecting school buildings thereon and for the use of the common schools of said district: *Provided*, That moneys so borrowed shall not be taxable except for state and county purposes.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 85.

An Act

To authorize the burgess and town council of the borough of Beaver, Beaver county, to levy and collect an additional tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Beaver, in the county of Beaver, are hereby authorized to levy and collect annually, for borough purposes, any tax not exceeding one cent on the dollar on the valuation assessed for county purposes, as is now or may be provided by law; all property, offices, professions and persons made taxable by the laws of this commonwealth, for county rates and levies, shall be taxable after the same manner for borough purposes.

Authorized to
levy and collect
additional tax.

SECTION 2. That all laws inconsistent herewith are hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 86.

A Further Supplement

To an act, entitled "An Act to incorporate the Eastern Iron Company,"
passed April ninth, one thousand eight hundred and fifty-nine.

May increase
capital stock
and hold stock
in other corpo-
rations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of an act, entitled "An Act to incorporate the Eastern Iron Company," passed April ninth, one thousand eight hundred and fifty-nine, be and the same is hereby amended so as to empower said company to increase their capital stock to not exceed the sum of two million dollars, subject to all the privileges and restrictions of the said charter; and the said corporation be and they are hereby empowered to hold stock in any iron, coal, railroad or other corporation incorporated by the laws of this commonwealth or by the laws of any other state.

Limitation as to
corporate exist-
ence, repealed.

SECTION 2. That so much of the tenth section of the above act, incorporating the Eastern Iron Company, as limiting its corporate existence to twenty years, be and the same is hereby repealed.

Certain act ex-
tended to.

SECTION 3. That the act, entitled "An Act relating to railroads," passed May sixteen, one thousand eight hundred and sixty-one, be and the same is hereby extended to the corporation to whose charter this act is a supplement, and to any iron or coal corporation with whom this corporation may desire to merge.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 87.

An Act

For the better protection of grey and fox squirrels in the county of
of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That no grey or fox squirrels shall be taken or killed in the county of Cumberland, from the first day of November to the first day of June in any year; and all acts or parts of acts inconsistent herewith are hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 88.

An Act

Relating to the offices of county treasurer and county auditors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act no person shall be eligible to the office of county auditor who within two years shall have been treasurer of the county.

Eligibility to office of county auditor.

SECTION 2. So much of third section of the act, entitled "An Act relating to the election of county treasurers and for other purposes," approved the twenty-seventh day of May, Anno Domini one thousand eight hundred and forty-one, as makes a county auditor ineligible to the office of county treasurer until the expiration of one year after the term for which he shall have been elected, is hereby repealed: *Provided,* No person holding the office of county auditor shall at the same time be county treasurer.

Eligibility to office of county treasurer.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 89.

An Act

To enable the directors of the poor and of the house of employment of the county of Huntingdon to purchase certain real estate of John H. Lightner.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor and of the house of employment of the county of Huntingdon be and they are hereby authorized and directed to purchase of John H. Lightner, at the price stated in the contract with the said John H. Lightner, a certain piece and parcel of land, situate near the poor house buildings, in Shirley township, in said county, adjoining lands of Peter Burket and A. L. Ricketts on the east, lands of David Douglas on the south, lands of A. L. Ricketts on the west, and lands of John Jacobs on the north, containing thirty acres more or less; and on the execution and delivery, by the said John H. Lightner, of a good and sufficient deed, clear of all incumbrances, the said directors of the poor and of the house of employment are hereby directed to draw their warrant in favor of the said John H. Lightner, upon the treasurer of said county, for the amount of said purchase money; and the treasurer of the county is hereby directed to pay the same out of any moneys in the county treasury.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 90.

An Act

To change the name of the Buffalo and Washington Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the name of the Buffalo and Washington Railway Company, a railroad corporation organized and existing under and by virtue of the laws of this commonwealth and of the state of New York, is hereby changed to the Buffalo, New York and Philadelphia Railway Company; and the said company shall have the right to continue to hold and manage its property and affairs by or under such altered name, and under that name shall continue to be liable for all debts, demands, liabilities, claims and obligations now existing against said company, and shall possess, hold and enjoy all its rights, property and privileges; but nothing herein contained shall affect any action or proceeding now pending in favor of or against the said the Buffalo and Washington Railway Company; but this act shall not be of force until a similar act shall be passed by the legislature of the state of New York.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 91.

An Act

To authorize the court of common pleas of Berks county to appoint an auditor to audit the account of the Berks county prison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of Berks county be and are hereby authorized and empowered, immediately upon the passage of this act, and annually thereafter, at such time as the court may deem expedient, to appoint an auditor to audit, settle and adjust the accounts of the inspectors, keeper or warden and treasurer of the Berks county prison, and of any other person or persons having charge of, receiving or disbursing any funds, money, goods, chattels or property belonging, pertaining, relating to or connected with the Berks county prison.

Court authorized to appoint auditor.

SECTION 2. The auditor first appointed under the provisions of this act shall have power to examine into all accounts in the preceding section referred to, rendered or to have been rendered, made or exhibited by the officers, parties or per-

Auditor authorized to examine and adjust accounts.

sons therein mentioned, within a period of six years next preceding the passage of this act, and to re-open, audit, settle and adjust the same.

May subpoena and compel attendance of witnesses.

SECTION 3. The auditor appointed under this act shall have power to issue subpoenas to obtain the attendance of the officers, parties or persons whose accounts are the subject of investigation and adjustment, and of any and all persons whom the auditor may deem it necessary or proper to examine as witnesses, and to compel their attendance by attachment, in like manner and to the same extent as any court of common pleas of this state may or can do in cases depending before them; and also to compel, in like manner, the production of all books, vouchers and papers relative to such accounts; and such subpoenas and attachments shall be served and executed by the sheriff or any constable of said county.

May compel production of books and papers.

May administer oaths.

SECTION 4. The said auditor shall have power to administer oaths and affirmations to all persons brought or appearing before him, whether accountants, witnesses or otherwise; and all persons guilty of swearing or affirming falsely on such examination, shall be liable to the pains and penalties of perjury.

Penalty for false swearing.

Penalty for refusing to be sworn or answer questions.

SECTION 5. If any person appearing before such auditor for examination shall refuse to take such oath or affirmation, or after having been duly sworn or affirmed shall refuse to make answer to such questions as shall be put to him by the auditor touching such accounts, such persons so refusing may be committed by the auditor to the county prison, by warrant under his hand and seal, directed to the sheriff or any constable of the county, setting forth particularly the cause of such commitment, until he shall submit to be sworn or affirmed or to make answer to such questions, or to be otherwise legally discharged.

Auditor to determine whether costs shall be charged against defaulters.

SECTION 6. If it shall appear to the auditor that the party, officer or other person whose accounts are the subject of investigation is in default, he shall have power to determine, subject to review by said court on exceptions, whether the costs of the audit, including the subpoenaing and attendance of witnesses, or any part, and if any, what part, shall be charged against the accountant or accountants so in default, and the same shall be assessed as costs against such accountant.

Compensation of auditor and witnesses.

SECTION 7. The auditor shall be entitled to a reasonable compensation for his services; and said compensation, together with the fees of witnesses, which shall be the same as witnesses attending the courts of said county, and the costs of subpoenaing, shall be paid in the first instance out of the county treasury, on the approval and order of said court.

Report to be filed.

Amounts due to be liens on real estate of accountants.

Exceptions to report.

SECTION 8. The report of the auditor shall be filed among the records of the court of common pleas of said county; and from the time of being so filed the amount found to be due by said report, from the person or persons so accounting, shall be a lien upon the real estate of such accountant or accountants; but exceptions may be filed to said report, and the said court may, in their discretion, award a feigned issue, if applied for by any party interested, for the trial of

any special matter or matters touching said report; and the subsequent proceedings as to final confirmation, decree and execution shall be conducted under the same rules and regulations, in the same manner, and be of the same force and effect as by the practice of said court obtains in respect to the reports of auditors appointed by said court in other cases.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 92.

An Act

Authorizing the borough of Clearfield to erect water works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess and town council of the borough of Clearfield, and their successors in office, and William Bigler, Jonathan Boynton, James T. Leonard, James B. Graham, A. M. Hills, be constituted a board of water commissioners, to continue until the purposes of this act are accomplished; that should any vacancy occur amongst the five individuals named, the judges of the court of common pleas of Clearfield county shall have power to fill such vacancy by appointment of a citizen and tax-payer thereof; that after water works are erected and in operation the duties of the above-named five individuals, and their successors, shall cease and determine, and the said works shall be managed and controlled by the said burgess and town council as the property of the borough, as may be required; and that the said board of water commissioners hereby constituted be and are hereby vested with full power and authority to erect and construct, or to contract for the erection and construction, of water works for the said borough of Clearfield, including buildings, engines, machinery, reservoirs, trenches, pipes and all things necessary to the full and entire completion of the same for practical operation for introducing into the said borough a supply of pure and wholesome water, for the use of the inhabitants thereof; and all contracts made in pursuance thereof shall be in the name of the borough of Clearfield, and when in writing, shall be signed by the bur-

Subsequent proceedings.

Board of commissioners constituted.

How vacancies may be filled.

Works to be managed by burgess and council.

Powers and authorities of commissioners.

How contracts to be made.

gess and attested by the clerk of the council, with the seal of the borough.

Commissioners, contractors, &c., may enter upon lands, construct reservoirs, lay pipes and take material.

SECTION 2. That the said board of water commissioners, and their successors in office, their contractors, their superintendents, engineers and laborers, with their tools, instruments, carts, wagons and other carriages and beasts of burden or draft, may enter upon any lands, water rights, streams, streets, alleys, lanes or highways, whenever such entry shall be necessary for the purpose of obtaining and bringing said water to the said borough of Clearfield, and from any reservoir or reservoirs, and of introducing said water into and within the said borough, and to erect and construct any reservoir or reservoirs, and to lay pipes for the conveying of water through said lands from time to time, and at all times thereafter, as is necessary for the purposes of taking up, repairing and laying down said pipes as often as the same may be required; and also to take and convey sand, stone, earth and other material necessary to the construction of said water works or to the proper laying down of said pipes.

Proceedings in cases of disagreement as to damages.

SECTION 3. That if the parties cannot agree upon the compensation to be made to the owner or owners of any such lands, water rights, streams, enclosures, public or private roads or highways, it shall and may be lawful for either party to present his, her or their petition to the court of common pleas of the county, setting forth the facts, and praying the court to appoint proper persons to view the lands and premises and value the same, or assess the damages for taking or use or both; whereupon the court shall appoint three suitable and disinterested persons, whose duties it shall be, after first being duly sworn or affirmed, to view the lands, water rights, streams and premises and injuries complained of, and make report of the damages done or value of said lands, water rights, privileges or streams, to the next court of common pleas, upon which report judgment shall be entered and execution issued as in other cases of debt; nevertheless, should either party feel himself or themselves aggrieved, they shall have the privilege of filing exceptions to said report at any time within four days after the return thereof to the said court, and also the right to a writ of error; for which services the viewers shall be entitled to one dollar per day, and the officers of the court the same fees as for similar services or proceedings in other cases, to be paid in all cases by the party against whom the report shall be made.

Commissioners may issue and negotiate coupon bonds.

SECTION 4. That for the purpose of defraying the cost of erecting and constructing said water works, the said board of water commissioners are hereby authorized and empowered to issue coupon bonds, in the name of the borough of Clearfield, signed by the burgess and treasurer thereof, and having the seal of said corporation attached, to an amount not exceeding forty thousand dollars and to negotiate the same; the said bonds shall be of denominations not exceeding one thousand dollars, and have such time for their maturity as the said corporate authorities may deem advisable, and shall bear interest at a rate not exceeding ten per centum per annum, payable semi-annually, at such place or places as may

be determined; and the said burgess and town council shall have power and are hereby authorized and empowered to impose and assess such tax or taxes, from time to time, as may be necessary to pay the interest upon such loan and to redeem the principal, at such time and in such manner as may be conformable to the terms upon which the same is taken, and that said taxes shall be collected as other taxes are now by law collected.

Burgess and council may assess taxes to pay loan.

SECTION 5. That the said burgess and town council shall have full power and authority to ordain and enact all laws and ordinances to enable them to convey the said water through the borough in all directions, and to such points outside the borough, in the vicinity thereof, as may be desired, and to fix hydrants and fire plugs wheresoever they may deem proper; and they shall further have power to adjust and determine the rates and prices to be paid by the citizens for the use of the water: *Provided*, That the owners of the freehold on and upon which said water is taken and used, shall, by themselves, their agents or attorneys, in all cases, be the parties with whom such contract for the use of the water shall be made, and the said real estate shall be bound for and liable for the payment of the same, reserving the right to the said burgess and town council to contract with the lessees of tenants should they see proper to do so; and the said burgess and town council shall further have the power to ordain and enact all needful by-laws, ordinances and regulations, and generally to do all things requisite and necessary for carrying into full and perfect effect all the objects contemplated in this act.

Burgess and council may pass ordinances relative to supply of water, &c.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W GEARY.

No. 93.

An Act

Providing for the introduction of water into the borough of Emaus, Lehigh county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Emaus,

Burgess and council may take possession of springs or streams.

in the county of Lehigh, be and they are hereby authorized and empowered, by themselves, their agents and employees, to enter upon and take possession of any spring or springs, stream or streams, or other body of water within said county, which they may deem necessary for the purpose of supplying the inhabitants of said borough with a sufficient supply of water; and to enter upon such lands and enclosures, streets and alleys, roads and highways as may be necessary to occupy, and to ditch and lay pipes over the same, from time to time, to re-construct and repair the same, to provide, erect and maintain all proper buildings, cisterns, reservoirs, pipes, conduits, works and machinery required for the purpose aforesaid; and also to obtain and appropriate any materials necessary for the construction and maintenance of said works.

May enter upon lands, lay pipes, &c.

Authorized to levy tax or issue bonds.

SECTION 2. That the authorities aforesaid be and they are hereby authorized and required to levy and collect a tax on the assessed valuation for borough purposes, to defray the expenses of obtaining such supply of water, and of constructing and maintaining the works in the preceding section mentioned, or to issue bonds or certificates of indebtedness, under the corporate seal of said borough, for such sums and bearing such rates of interest, not exceeding seven per centum per annum, as said authorities shall deem necessary.

May appoint officers and agents.

SECTION 3. That said council, with the consent of said burgess, be and the same are hereby authorized to elect and appoint such officers and agents as they shall see fit, for the purpose of constructing and maintaining the works aforesaid, and to fix and pay the compensation of such agents and officers out of the public funds of said borough.

May adopt schedule of rates.

SECTION 4. That said authorities be and the same are hereby authorized to adopt a schedule of rates by which water rents shall be assessed to the owner or owners of premises, and to collect the same in the manner in which borough taxes are now collected.

Damages, relative to.

SECTION 5. That all damages occasioned, or claimed to have been occasioned, by the exercise of the powers provided for by this act, shall be settled and adjusted according to the provisions of an act, entitled "A supplement to an act to provide for the incorporation of gas and water companies, approved March eleventh, one thousand eight hundred and fifty-seven," approved April twenty-fourth, one thousand eight hundred and sixty-nine: *Provided*, That this act shall not go into effect until the twenty-fifth day of March next.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 94.

An Act

To extend the provisions of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the third section of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted," be and the same are so far extended as to authorize and empower the said courts of common pleas to grant charters of incorporation to park associations and associations for the propagation of game and fish.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 95.

A Supplement

To an act, entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this commonwealth," approved April tenth, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of persons to be selected by the jury commissioners and president judge, or additional law judge, or a majority of them, under the second section of the act of

April tenth, one thousand eight hundred and sixty-seven, to serve as jurors in the several courts of the respective counties of this commonwealth, to which said section refers, shall in all cases in which that number has not been designated by the court of common pleas of the county, at the term of the court next preceding the annual meeting of said jury commissioners, president judge or additional law judge to make such selection, be the same number which had been selected and placed in the proper jury wheel or wheels for the year next preceding; and the selection and placing of the names of such number in the proper wheel or wheels, by said jury commissioners, president judge or additional law judge, or a majority of them, shall have the same effect as though the number had been designated by the court of common pleas of the respective county at the time required by said several sections of said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred seventy-one.

JNO. W. GEARY.

No. 96.

An Act

Supplementing the several acts relating to state mercantile licenses in the cities of Pittsburg and Allegheny, requiring the treasurers of said cities to give bond to the state, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That each person elected to the office of treasurer of the cities of Pittsburg or Allegheny shall, before entering into the duties of his office, give a bond, with sufficient security, to be approved by at least two of the judges of the court of common pleas of the county of Allegheny, and in such penalty as the said judges shall deem sufficient, conditioned for the faithful discharge of all duties enjoined on him by law, in behalf of the commonwealth, and for the payment by him, according to law, of all moneys received by him for the use of the commonwealth; which bond shall be taken by and acknowledged before the recorder of deeds of said county, and recorded in his office, at the cost of the commonwealth, and

the original bond shall be forthwith transmitted to the auditor general.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No 97.

An Act

To authorize the school directors of the Springfield district, Twelfth ward, city of Pittsburg, to borrow money for building purposes, exempting the bonds so issued from taxation except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the Springfield sub-school district, Twelfth ward, city of Pittsburg, are hereby authorized and empowered to borrow any sum or sums of money, not exceeding, in the aggregate, fifty thousand dollars, at a rate of interest not exceeding eight per centum per annum, for the purpose of purchasing ground and erecting and appropriately furnishing a school house for said district, and to issue bonds therefor, in sums of not less than one hundred dollars each; said bonds to be executed by the president and countersigned by the secretary of the board, and shall be exempt from taxation under the laws of this commonwealth, except for state purposes; and the said directors, and their successors in office, are hereby authorized and empowered to levy an additional tax annually from the passage of this act, not exceeding one per centum on the appraised valuation of the property of the taxable inhabitants of said district, for the purpose of paying said bonds, until said bonds, with interest, are redeemed: *Provided*, That the moneys thus raised shall be expended for no other purpose.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 98.

An Act

Supplemental to an act, entitled "An Act to authorize the erection of a poor house in the township of New Milford, in the county of Susquehanna," approved the eleventh day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners authorized to borrow money, or issue and sell bonds.

That David Summers, Oliver Lathrop and Homer Tingley, the commissioners named, or intended to be named, in an act, entitled "An Act to authorize the erection of a poor house in the township of New Milford, in the county of Susquehanna," approved the eleventh day of March, Anno Domini one thousand eight hundred and seventy, in order to fully carry out the provisions of said act, are hereby authorized and empowered to borrow money, or issue bonds of said township and sell the same, in such sum or sums as may be deemed advisable, bearing any rate of interest not exceeding eight per centum per annum: *Provided however,* That the aggregate amount thereof shall not exceed the sum of ten thousand dollars.

Terms of office of commissioners, extended.

SECTION 2. The term of office of the said David Summers, Oliver Lathrop and Homer Tingley, commissioners as aforesaid, is hereby extended for the term of one year and until their successors are elected and duly qualified; and the compensation of the said commissioners, or directors, shall be such per diem as the auditors appointed by the court of quarter sessions of the said county, for the settlements of the accounts of said commissioners or directors, shall deem just and proper.

Compensation of commissioners.

Repeal.

SECTION 3. That all laws or parts of laws altered, extended or supplied, and inconsistent with the provisions of this act, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 99.

An Act

Providing for the consolidation of the Mahanoy and Shamokin and the Philadelphia and Reading railroad companies, and conferring certain powers upon the said consolidated company.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That it shall be lawful for the Mahanoy and Shamokin Railroad Company, recently formed by the merger and consolidation of the Mahanoy and Broad Mountain Railroad Company, the Mahanoy Valley Railroad Company, the Enterprise Railroad Company, the Shamokin and Trevorton Railroad Company and the Zerbe Valley Railroad Company, to become merged into and consolidated with the Philadelphia and Reading Railroad Company; and that the act of the general assembly of this commonwealth, of the sixteenth day of May, one thousand eight hundred and sixty-one, entitled "An Act relating to railroad companies," and the several supplements thereto, shall apply and extend to the said merger and consolidation.

Consolidation authorized.

Certain acts to apply to consolidation.

SECTION 2. That the president and managers of the Philadelphia and Reading Railroad Company may, after the said merger and consolidation, for the purpose of retiring its obligation, purchasing or building additional steam colliers or other vessels, or for such other purposes as they may deem calculated to promote the interests of the company, secure such issues of bonds as they may deem advisable to make, bearing such rate of interest, with or without provision for the payment of taxes on the said bonds, and payable at such times as the president and managers may provide, either in United States money or sterling, by mortgaging, from time to time, the whole or any part of its railroads, real and personal estate and corporate rights and franchises, acquired or to be acquired, and may dispose of the said bonds at such price and in such manner as they may determine; and any such mortgage may, at the option of the said president and directors, be made to secure bonds to be subsequently issued as well as those issued prior to or contemporaneously with the date of the said instrument.

Consolidated company may secure issues of bonds by mortgaging railroads, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 100.

An Act

Supplementary to an act, entitled "An Act to incorporate the Pennsylvania Company," approved the seventh day of April, Anno Domini one thousand eight hundred and seventy, authorizing the issue of common or preferred stock, and authorizing the sale or disposal thereof by the company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of said company as authorized by said act, or the stock thereof when increased in the mode and manner prescribed therein, may be in the whole common, or in part preferred stock, as the said company may from time to time determine; and the said company are hereby authorized and empowered to issue said stock, or any portion thereof, in payment of any debt or liability incurred in the purchase of any property, or they may sell or dispose of any portion of said common or preferred stock, on such terms and conditions as the company may agree upon with any party or parties, company or companies, or in the doing of any other act authorized by the provisions of the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 101.

An Act

To incorporate the Co-operative Association of Weatherly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ashbel B. Hofecker, Thomas Koons, Richard W. Smith, Valentine Smith, William F. Brodhead, Charles H. DeWitt,

Joseph Koons and Samuel Croll, and such other persons as shall be associated with them, be and they are hereby created a body politic, by the name, style and title of the Co-operative Association of Weatherly, and by such name shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of holding, in its corporate name, such real estate as may be necessary to enable said association to carry out the true intent and meaning of this act.

Title.

Powers and privileges.

SECTION 2. That the capital stock of said association shall not exceed one hundred thousand dollars, to be made up by the co-operative contribution and subscription of such sum or sums as the managers of said association by the by-laws and regulations shall direct as a necessary condition of membership.

Capital stock.

SECTION 3. That the capital stock of said association shall be used and employed for the mutual and equitable advantage of all its members, by the purchase and distribution or sale to them, and others, of such supplies, goods, wares and merchandise as are usual and necessary or required by said members for their consumption and use, or the consumption and use of themselves and families; also in the purchase of such real estate as may be necessary to facilitate the business of the association.

How capital stock to be used and employed.

SECTION 4. That the government of said association shall be entrusted to seven managers, who shall be members of the same, and shall be elected annually by the members; said managers shall elect one of their number president of said association, and provide for the appointing or election of a secretary and treasurer and such other officers and employees as may be necessary; they shall also provide, by suitable by-laws, for the general management of the business of the association, for the annual election of officers and their duties, for the equitable distribution of the shares of the capital stock among the members, and for the distribution of the net earnings, by dividends or other appropriation of them, for the use of said association: *Provided*, Such by-laws are not in violation of the laws of this commonwealth.

Government.

Officers.

By-laws.

SECTION 5. That the corporators named in the first section of this act, or a majority of them, shall elect the persons to serve as managers of the said association, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Managers.

Quorum.

SECTION 6. That the principal place of business of said association shall be in the borough of Weatherly, in the county of Carbon.

Place of business.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 102.

An Act

Relative to the construction of sewers in the borough of Ormsby, in the county of Allegheny, and to liens for sewers and for street grading and paving in said borough.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Council may have sewers constructed through private property.

Proviso.

That in addition to the powers already vested in the town council of the borough of Ormsby, in the county of Allegheny, to construct sewers, said town council are hereby authorized, where they may deem the same necessary, to cause sewers to be constructed through private property: *Provided however,* That said borough, before entering upon private property for the purpose aforesaid, shall first tender to the owner or owners of private property a bond of the borough, conditioned for the payment of any damages or compensation which may be assessed in favor of said owner or owners under the provisions of this act.

May agree upon terms with property owners.

Proceedings in cases of disagreement.

SECTION 2. That it shall be lawful for said town council to agree with the owner or owners of private property through which they may construct or lay out any sewer, upon the terms and conditions upon which they may enter upon and appropriate such private property for the purpose aforesaid; and if they cannot so agree, then the persons appointed by said council, by virtue of the second section of the act approved March eighteenth, one thousand eight hundred and sixty-nine, to levy and assess upon property benefitted the cost of sewers, shall assess the damages, if any sustained by said owner or owners of private property, by reason of the construction of such sewer through the same, and the compensation, if any, to be paid to him, her or them by said borough; and said assessors or viewers shall take into consideration the advantages and benefits to the property of said owner or owners by reason of the construction of said sewers through the same, and if the benefits and advantages are in excess of the damages, such excess shall be levied and assessed upon the said property through which such sewer shall be constructed.

Damages to be assessed upon properties benefitted.

SECTION 3. That if by the terms of any agreement between the town council and owner and owners of private property, or by virtue of any assessment, or any compensation or damages shall be payable to such owner or owners of private property, the same shall be treated as a part of the cost of the sewer, and shall be levied and assessed upon the properties benefitted, in accordance with the provisions of the second section of the act approved March eighteenth, one thousand eight hundred and sixty-nine.

Property owners may apply to court.

SECTION 4. That any person through whose property any sewer shall be constructed or laid out may, within ten days after the final action of said town council, approving any as-

assessment under the provisions of this act, apply by petition to the court of quarter sessions of the county of Allegheny, setting forth the facts of the case; and it shall be the duty of the clerk of said council, upon notice of said petition, to certify the proceedings to said court; and thereupon said court shall have power to hear evidence and modify, correct or approve the said assessment or to set the same aside and appoint new assessors, who shall make report to the court for further action.

Duty of clerk to council.

Powers of court.

SECTION 5. That liens for sewers, and also for street grading and paving in said borough, may be filed in the office of the prothonotary of the court of common pleas of Allegheny county, if not paid within thirty days after demand for payment; and the collection of said liens shall be by *scire facias* and *levari facias*.

Liens for sewers, &c., may be filed.

How collected.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 103.

A Further Supplement

To the act incorporating the city of Harrisburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the eighth section of an act, entitled "A supplement to the act incorporating the city of Harrisburg, in the county of Dauphin," approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-nine, be extended so as to authorize the common council of the city of Harrisburg to apply any part of the sixty thousand dollars authorized to be borrowed, to the payment of street damages assessed before the first day of February, one thousand eight hundred and seventy-one; and that all laws inconsistent herewith are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 104.

An Act

To authorize the school directors of East Brady borough, in the county of Clarion, to borrow money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the district of East Brady borough, in the county of Clarion, are authorized to borrow money on the credit of said district, and issue bonds therefor, of not less than one hundred dollars each, at a rate of interest not exceeding six per centum per annum; said bonds to be payable in three and redeemable in ten years, and not exceeding in the aggregate the sum of five thousand dollars, for the purpose of erecting one or more public school houses in said district, and furnishing and fitting up the same ready for use.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 105.

An Act

To authorize the trustees of the Trinity Methodist Episcopal church of Danville to borrow money, issue bonds and execute a mortgage as security therefor, and exempting the same from taxation except for state purpose.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Irvin H. Torrence, Matthew L. Ridgway, Samuel Lewis, S. M. Snyder, John G. Hiler, John Torred, Henry Vincent, John Beachman and John Lloyd, trustees of the Trinity Methodist Episcopal church of the borough of Danville, county of Montour, or their successors in office, shall be and

are hereby authorized and empowered to issue and dispose of bonds, in sums of not less than twenty-five dollars (\$25) each, payable in ten (10) years, to an amount not exceeding twelve thousand dollars, (\$12,000,) bearing interest at a rate of not more than eight (8) per cent. per annum.

SECTION 2. To secure the payment of the same, the said trustees shall execute a mortgage to Perry Dean, of Danville, Pennsylvania, or such other person or persons as they may select, on a certain lot or piece of ground, situate on the north-west corner of Centre and Ferry streets, in the said borough of Danville, containing in front on Centre street eighty-five (85) feet, and on Ferry street one hundred (100) feet; which said mortgage shall be recorded in the office for the recording of deeds, mortgages, et cetera, in and for the county of Montour; the money or moneys which may be raised upon the said bonds shall be applied by the said trustees towards the completion of a church and parsonage on said lot or piece of ground.

SECTION 3. That the said bonds or mortgages shall not be subject to taxation by any of the laws of the commonwealth of Pennsylvania, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 106.

An Act

Relating to the collection of poor and road taxes in the county of Forest.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all property in the county of Forest liable for road tax shall also be liable to pay poor tax.

SECTION 2. That the collectors of poor tax shall have the same powers as the collectors of county tax; and that collectors of poor tax, and also collectors of road tax, shall return lands for non-payment of taxes to the commissioners of the county, and shall receive for such service such sum as

the overseers or road commissioners, as the case may be, shall deem just.

Sale of lands for
poor taxes.

SECTION 3. That all lands returned for non-payment of poor tax shall be disposed of by the proper officers of the county in like manner as lands returned for non-payment of road tax, and the proceeds handed over to the treasurers of the respective townships entitled to receive the same.

Repeal.

SECTION 4. That all laws inconsistent with this act are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 107.

A Supplement

To an act, entitled "An Act to authorize the erection of a poor house by the borough of Milesburg and the township of Boggs, in the county of Centre, and as many boroughs and townships as shall decide by ballot in favor of the same," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for holding the election provided for in the first section of the act to which this is a supplement, be and the same is hereby extended to the second Tuesday of October, Anno Domini one thousand eight hundred and seventy-one, at which time said election shall be held, with like force and effect as if the same had been held at the time designated by said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 108.

An Act

To incorporate the Lutheran Mission and Church Extension Society.

WHEREAS, A number of citizens of Pennsylvania and adjacent states, members of the Evangelical Lutheran church, desire to associate themselves together for the purpose of purchasing ground and erecting thereon Lutheran churches, and of being made by law competent to purchase and hold, in a corporate capacity, real estate, and do and perform such other acts as may be required for the purpose of carrying out the full and true intent of the proposed organization; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jos. A. Seiss, C. P. Krunth, W. J. Mann, J. A. Kunkelman, A. T. Gressenheimer, A. Spaith, B. H. Hunt, W. A. Passavant, William L. Schaffer, John R. Baker, S. Gross Fry, Paul P. Keller, W. W. Kurtz, Daniel M. Fox, P. A. Keller, George K. Zeigler, J. W. Grubb, John Rommel, Jr., Franklin Bynly, Frederick Graiff, H. H. Muhlenberg and Thomas H. Lane, of Pennsylvania, and G. F. Krotel and Peter P. Keller, of New York, and J. A. Roof and G. G. Beck, of Ohio, and G. A. Dobler, of Maryland, and such others as may become associated with them, and their successors, be and they are hereby created into a body corporate, in deed and in law, by the name, style and title of the Lutheran Mission and Church Extension Society, and by that name shall have perpetual succession, and shall enjoy all the rights, powers, privileges and immunities incident to a corporation, shall be capable of suing and being sued, of impleading and being impleaded, in all courts of record and elsewhere, shall have and use a common seal, the same to alter or renew at pleasure, of ordaining and enforcing all ordinances, regulations and by-laws necessary, convenient or proper for conducting and governing its affairs: *Provided,* The by-laws and ordinances shall not be inconsistent with the laws of the United States or of this commonwealth.

SECTION 2. Any regular member of the Evangelical Lutheran church may, with the approval of the board of managers, become a member of the society, by contributing at the rate of at least ten dollars per annum towards its object.

SECTION 3. That any twelve of the corporators named shall meet as soon as convenient after the passage of this act, and organize by electing, by a majority of the votes cast, each person being entitled to but one vote, a president and fifteen managers, and who shall be elected annually on the fourth Monday in January thereafter, who shall elect a secretary and a treasurer, and shall have power to appoint all necessary officers and fix their duties and compensation.

Preamble.

Corporators.

Title.

Powers and privileges.

Membership

Organization.

Election of president and managers.

Officers.

Control of affairs.

Powers of president and managers.

SECTION 4. That the control, management and administration of the affairs of the corporation shall be vested in the president and board of managers; and they shall have full power to purchase or lease estate, real, personal or mixed, or take or receive donations of the same, by will or otherwise, with the right to sell, lease or convey the same to congregations or others, as they may deem advisable, and also the right of encumbering the same by judgments, mortgage or otherwise, for the purpose of erecting churches, chapels, missions or institutions of learning, and they shall have full power to enter into contracts for the purchase, sale or lease of real or personal property, as well as for the erection of churches, chapels, missions or institutions of learning: *Provided*, That the annual income from the real estate held by the corporation shall not any time exceed the sum of fifty thousand dollars.

Income from real estate limited.

May borrow money and give securities therefor.

SECTION 5. That the said corporation shall have the power and authority to borrow such sums of money, at a rate of interest not exceeding seven per cent., as they may from time to time require, for the purpose of building churches and other similar institutions, and may give receipts or evidences of indebtedness or other legal obligations therefor, to the parties advancing or loaning such sums: *Provided*, That no obligation be issued for a less sum than one hundred dollars.

Funds not to be misapplied.

SECTION 6. That no funds accruing to the society shall ever be divided among the members or applied to any other purposes than for the legitimate object for which the society was incorporated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 109.

An Act

Relating to the erection of school buildings, by the board of public education, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the board of public education of the city of Philadelphia has determined upon the erection of a new

school house, and the councils of the city of Philadelphia have made an appropriation of money to build the same, all matters in connection with the erection of said school house shall be under the direction of said board of public education, who, immediately after the appropriation is made by councils, shall have a proper plan and specifications of said new school house prepared; and they shall advertise in at least four of the daily papers of the city of Philadelphia, for not less than one week, for proposals for building said school house, under the plan and specifications named; said advertisement shall state the time and place at which said proposals shall be opened, at which time and place the proposals made shall be publicly read, and the contract for the building shall be awarded to the lowest bidder within the amount appropriated, proper security being taken for the performance of the terms of contract so awarded.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 110.

A Supplement

To an act, entitled "An Act consolidating the wards of the city of Pittsburg for educational purposes," approved the twelfth day of February, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Lawrence school sub-district (Fifteenth ward) of the city of Pittsburg, be and is hereby authorized to pay a rate of interest, not exceeding eight per centum per annum, on any and all sums of money borrowed by said board, or which may hereafter be borrowed by said board, under and by virtue of the sixty-sixth section of the act to which this is a supplement.

School directors of Lawrence sub-district may pay eight per centum interest on moneys borrowed.

SECTION 2. That the sixty-third section of the said act be so amended as to authorize the said board of school directors of the said Lawrence school sub-district, of the city of Pittsburg, to levy a special tax, not exceeding fifteen mills on the

Special tax for building purposes, &c., relative to.

dollar, to be applied as directed in the said section of the said act to which this is a supplement as aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 111.

An Act

To extend the provisions of an act, entitled "An Act to prevent cattle, horses, mules, sheep and swine from running at large in Middlesex, Butler and Mercer townships, and Harrisville borough, Butler county," to Connoquenessing and Lancaster townships, Butler county.

SECTION 1.^v *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, approved the fifteenth day of March, one thousand eight hundred and seventy, entitled "An Act to prevent cattle, horses, mules, sheep and swine from running at large in Middlesex, Butler and Mercer townships, and Harrisville borough, Butler county," be and the same is hereby extended to Connoquenessing and Lancaster townships, Butler county: *Provided,* That this act shall take effect from April first, one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 112.

A Supplement

To an act approved the twenty-sixth day of February, one thousand eight hundred and sixty-nine, entitled "An Act to incorporate the Workingmen's Building Association of Philadelphia."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Workingmen's Co-operative Building Association of the city of Philadelphia be and is hereby authorized and empowered to take and hold in fee any messuages, lands, tenements or hereditaments, subject to any ground rent or ground rents, mortgage or mortgages, and to sell and convey the same in fee simple, free from incumbrances, or subject to any mortgage or mortgages, or reserving any annual rent or ground rents, with full power and authority to extinguish any ground rent or ground rents, or satisfy any mortgage or mortgages that may be reserved, created or given to them.

May hold lands subject to ground rents, convey same in fee simple, &c.

SECTION 2. That the front or breadth of every house erected by said association shall be of from (18) eighteen to (20) twenty feet, more or less, and the lots on which they shall be erected shall be of the depth of (70) seventy to (75) seventy-five feet or more; the lots shall be separated by fences, and each shall contain a privy well, and each shall have (275) two hundred and seventy-five square feet of brick pavement, more or less.

Fronts of houses and depth of lots fixed.

Lots to be separated by fences, &c.

SECTION 3. That upon the death of any member of this corporation, his duties, interests and privileges shall devolve upon his legal representatives, to be enjoyed by them as if original shareholders: *Provided always,* That such representatives may, upon giving notice to the secretary of this corporation, within two calendar months from the death of such member, withdraw the amount so paid in, together with (6) six per centum interest thereon.

Upon death of members, duties, &c., to devolve upon legal representatives.

SECTION 4. That any member or shareholder of this corporation may at any time pay the full amount due to the same, according to the value of the shares taken by said shareholder, and shall thereupon be entitled to a conveyance of the messuages or tenements and lot so purchased by him: *Provided,* Such member gives to the said corporation good and sufficient security to indemnify the said corporation against any loss and costs appertaining to the due working of the same.

Members may pay amounts due company, and then to receive conveyance of lots purchased.

Proviso.

SECTION 5. That in case any shareholder shall be in arrears of dues for (2) months, said shareholder shall receive notice thereof, and upon failure to pay such arrears, shall pay the five (5) cents per dollar on the arrearage for the space of two months next succeeding such notice, and if upon the

Failure to pay dues, relative to

expiration of that time the said shareholder shall still be in arrears, such shares shall be sold at auction to the highest and best bidder; the proceeds of such sale, after deducting the amount of dues in arrears and two (2) dollars costs, shall be passed to the party to whom such shares belong: *Provided however*, That nothing herein contained shall repeal any section of the original act of which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 113.

An Act

To incorporate the Ransom Valley Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That Lewis H. Litts, Peter K. Richards, Peter Bedell, George Damon, Chauncey Sherwood, David M. Huthmaker and Amos Sax, or any five of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company, with the right to construct a turnpike road, by the most feasible route, by the name, style and title of the Ransom Valley Turnpike Road Company, commencing at a point near the Lackawanna river, within one mile of its confluence with the Susquehanna, in the county of Luzerne, and construct the same to junctions of road leading to Milwaukie, in Ransom township, with power to construct the same, if practicable, to junction of the Shultzville, Mill City and Tunkhannock Turnpike Road Company's roads, near the house of John Patton, in Falls township, or to Buttermilk Falls, in Wyoming county, subject to all the restrictions and entitled to all the provisions of an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as the same are altered and supplied by this act.

Title.

Route.

Subject to.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of four hundred shares, of twenty-five dollars each, and stockholders shall have power to increase the same when-

ever in their judgment it shall be necessary to carry out the provisions of this act.

SECTION 3. That whenever five miles or more of said road shall be completed, said company shall have the right to erect and fix gates and take tolls, as provided in the twelfth section of the said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine. When gates may be erected and tolls collected.

SECTION 4. That the said company have power to use the old road, or any parts thereof; and that said road along the mountain or narrows shall not be less than twelve feet in width. May use old road. Width.

SECTION 5. That if the said company shall not commence the construction of their road within three years, and complete at least three miles of the same within five years after the passage of this act, then this act shall be null and void, except so far as may be necessary to settle and wind up the affairs and pay the debts of the company. Commencement and completion.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 114.

An Act

To repeal an act, entitled "An Act extending the provisions of an act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county, to certain other townships in Lawrence county," approved March twenty-eighth, one thousand eight hundred and seventy, as far as relates to cows in Wilmington township, Lawrence county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act extending the provisions of an act to prevent cattle, horses, mules, sheep and hogs from running at large in Venango township, Erie county, and Little Beaver township, Lawrence county, to certain other townships in Lawrence county," approved March twenty-eighth, one thousand eight hundred and sev-

enty, be and the same are hereby repealed, as far as relates to cows in Wilmington township, Lawrence county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 115.

An Act

Extending to Beaver county the provisions of an act, entitled "An Act relative to the fees of coroner of Allegheny county," approved March ninth, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to fees of coroner of Allegheny county," approved March ninth, Anno Domini one thousand eight hundred and sixty-seven, be and the same are hereby extended to the county of Beaver.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 116.

A Supplement

To an act to incorporate the Ashmun Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the charter of Ashmun Institute, approved the twenty-ninth day of April, one thousand eight hundred and fifty-four, and of the supplement approved the fourth day of April, one thousand eight hundred and sixty-six, as refers to the supervision of the Presbytery of New Castle in the affairs of the said Ashmun Institute, now known by the corporate title of Lincoln University, be and the same is hereby repealed; and all powers and authority in the affairs of Lincoln University, heretofore held by the Presbytery of New Castle, be and is hereby conferred upon the board of trustees of said Lincoln University; and that the term of office of members of said board, to be hereafter elected, be extended from three years to seven years, and that three trustees be elected each year by the board, at their annual meeting; and in case of the failure of the board to elect trustees, the existing members shall continue in office until their successors shall be elected; and that hereafter the general assembly of the Presbyterian church in the United States shall hold a veto power in the election of professors in the theological department in the said Lincoln University.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 117.

An Act

To incorporate the West Reading Market House Company.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Amos W. Pottieger, Charles S. Birch, John M'Knight, John Kissinger, Lewis Briner, Levi K. Moore, Louis Ritter, Charles Peacock, John F. Orth, Asaph Prutzman, Reuben E. Addams and George M. Ermantrout, or any five of them, and their associates, and all persons who may hereafter be holders of the stock hereinafter mentioned, are hereby created a body corporate, by the name of the West Reading Market House Company, to have perpetual succession, to sue and be sued, to have a common seal, to purchase and hold such real and personal estate as may be necessary for the purposes of the corporation, and to sell, mortgage or lease the same, as they shall deem expedient.

Corporators.

Name.

Powers and privileges.

Object and purpose.

SECTION 2. That the object and purpose of the said corporation shall be to erect and maintain a suitable building, with stalls, in the city of Reading, to be appropriated and used as a public market house for the sale of meats, vegetables, and all other kinds of victuals and provisions whatever, and such other articles as the board of directors may deem proper; and the said building and stalls shall be leased or disposed of in such manner and on such terms and conditions as the directors shall determine.

Capital stock.

SECTION 3. That the capital stock of said corporation shall be a sum not exceeding fifty thousand dollars, divided into one thousand shares of fifty dollars each, certificates of which shall be issued, and the stock shall be transferable on the books of the corporation; and all shares of stock shall be paid for or forfeited for non-payment, in such manner and at such times as the directors shall determine by their by-laws.

May borrow money upon bonds.

SECTION 4. That the said corporation is authorized to borrow money, to an amount not exceeding one-half of their capital stock, upon bonds, with or without coupons attached, to be issued by said corporation and secured by mortgage on their corporate property, whenever the directors of the same shall deem said bonds and security expedient: *Provided*, The rate of interest shall not exceed eight per cent. per annum: *And provided*, The holders of said bonds may at any time convert the same into the stock of said corporation; and no bond shall be issued for a less sum than one hundred dollars.

Proviso.

Proviso.

Government and control.

SECTION 5. That the government and control of said corporation and its property shall be vested in a board of not less than five and not more than nine directors, who shall be elected, by ballot, from among the stockholders; they shall choose from among their number a president and secretary, who may also be the treasurer of the company, and may require of them bonds for the faithful performance of their duties; the board of directors shall continue in office until their successors are elected, and fill all vacancies occurring in their body.

Organization.

SECTION 6. The persons named in the first section of this act shall call a meeting of the stockholders for the purpose of electing the directors aforesaid, giving one week's public notice thereof, in such manner as said persons may deem proper, and the said directors may then commence to carry out the object of said corporation:

Annual meeting of stockholders.

SECTION 7. The annual meeting of the stockholders, for the election of managers and the transaction of other business, shall be held on the second Monday of January, in each and every year, public notice thereof being given as provided in section six; but should such election not be held the corporation for that reason shall not be dissolved, but such meeting and election shall take place as soon thereafter as may be convenient, notice thereof being given as aforesaid; special meetings may be held as provided by the by-laws; the stockholders, in general meeting, may, if they see proper, enact by-laws or alter those made by the directors for the government of the corporation and its officers; in the election of directors, and

Special meetings.

By-laws.

in the decision of all questions brought before them in the meetings of the stockholders, those present in person or by proxy, not in arrears on any instalment due, shall be entitled to one vote for each share of stock held by them. Votes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 118.

An Act

To authorize the school directors of New Galilee borough, Beaver county, to borrow money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of New Galilee borough, Beaver county, are hereby authorized and empowered to borrow any sum or sums of money, not exceeding in the aggregate fifteen hundred dollars, at a rate of interest not exceeding eight per centum per annum, for the purpose of purchasing ground and erecting and appropriately furnishing a school house for said district, and to issue bonds therefor, in sums of not less than one hundred dollars, each of said bonds to be executed by the president and countersigned by the secretary of the board, and shall be exempt from taxation, except for state purposes, under the laws of this commonwealth; and the said directors, and their successors in office, are hereby authorized and empowered to levy an additional tax annually, from the passage of this act, not exceeding one per centum on the appraised valuation of the property of the taxable inhabitants of said district, for the purpose of paying said bonds, until such bonds, with interest, are redeemed: *Provided,* That the moneys thus raised shall be expended for no other purpose.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 119.

A Supplement

To an act of general assembly of the commonwealth of Pennsylvania, approved the third day of March, Anno Domini one thousand eight hundred and fifty-three, incorporating the borough of Darby, in the county of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That either on petition of a majority in number of the owners of lands fronting on any street in the said borough of Darby, or upon the petition of the owners of a majority of lineal feet of lands fronting on said street, the council of the said borough may, in its discretion, enact an ordinance requiring owners of land abutting on the said street to pave the roadway in front of their respective grounds to the middle of the street, in every case, under the direction of the said council; and when the same shall be done, the said owners respectively shall be credited with the moneys so expended, on the books of the borough, and shall be entitled to have the borough taxes levied on their respective lands charged or set off on the said books annually, until the sum so charged shall balance the money so expended, without interest.

On petition of property owners, council may require paving of roadway.

Owners to be credited with moneys expended.

In cases of neglect of owners, council may have work done and collect cost thereof.

SECTION 2. That if any of the said owners shall neglect or refuse to pave as aforesaid, for sixty days after the publication of the said ordinance, in the manner and form prescribed by article four of section third of the act of general assembly of this commonwealth, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, the said council shall forthwith do the same and collect the cost thereof, with twenty per centum advance thereon, by lien, in the manner provided by article six of section second of the last above recited act of assembly, or, at the option of said council, by suit against the owner or owners of the said properties: *Provided,* That any lien entered pursuant to the provisions of this act shall have priority of lien on the premises against which it may be entered, and paid out of the proceeds of any sale thereof, before any mortgage, judgment or other incumbrance entered against the said premises after the passage of this act.

Erection of frame buildings, relative to.

SECTION 3. That it shall be unlawful for any person or persons to erect or place within the limits of the said borough any frame building or frame structure of any kind, without the previous consent of the borough council first obtained for the purpose; and any person or persons violating this section shall be fined not less than ten dollars and not more than fifty dollars, to be collected in the manner fines for violations of the ordinances of the said borough may now be collected by law; and further, such buildings and structures, erected or

placed in violation of this section, are hereby declared public nuisances, and may be removed in the manner now provided by the penal laws of this commonwealth for the removal of public nuisances; and any person or persons erecting, placing or maintaining the same shall be liable to indictment and, upon conviction, to fine and punishment in addition to the penalties hereinbefore imposed, in the proper court of said county, for erecting and maintaining a public nuisance.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 120.

An Act

To extend the time for the completion of the Philadelphia and Montgomery County railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Philadelphia and Montgomery County railroad, as fixed by an act, entitled "An Act to amend an act to incorporate the Philadelphia and Montgomery County Railroad Company," approved the second day of April, Anno Domini one thousand eight hundred and sixty, and to extend the time for the commencement and completion of said railroad, approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five, and to extend the time for the commencement and completion of said railroad, approved the third day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby extended to three years from the date of the passage of this act.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 121.

An Act

To authorize the governor to appoint an additional notary public for Armstrong county, to reside at Parker's Landing, and also one for Butler county, to reside at Harrisville, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is hereby authorized to appoint an additional notary public for Armstrong county, to reside at Parker's Landing, in said county; also an additional one for Butler county, to reside at Harrisville, in said county.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 122.

An Act

To authorize the borough of Troy, in the county of Bradford, to borrow money for the purpose of providing a fire apparatus for said borough, and to construct an engine house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Troy, in the county of Bradford, shall have the power to borrow money for the purpose of purchasing suitable fire apparatus for the use of said borough, and to construct an engine house and sufficient reservoirs, not exceeding in the whole five dollars in every hundred dollars of the assessed value of the real and personal estate in the borough as assessed for county purposes, and to issue certificates therefor, bearing interest not exceeding seven per centum per annum, payable semi-annually: *Provided,* That the same shall not be disposed of at

Burgess and council authorized to borrow money and issue certificates therefor.

less than par value: *And provided further*, That such loan Proviso. shall be subject only to the payment of state taxes.

SECTION 2. That the said burgess and town council be and they are hereby authorized to levy and collect a special tax May levy and collect special tax. annually for the payment of said loan, not exceeding fifteen mills on the dollar in any one year, on all taxable persons and property of said borough.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 123.

An Act

To provide for the appointment of an additional notary public in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is hereby authorized to appoint and commission an additional notary public for the county of Dauphin, to reside in the town of Halifax.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 124.

An Act

Relating to mechanics' liens in the county of Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the supplement to the act of June sixteenth, one thousand eight hundred and thirty-six, relating to liens of mechanics and others upon buildings, approved the first day of May, one thousand eight hundred and sixty-one, be and the same is hereby extended to the county of Butler: *Provided*, That repairs, alterations or additions by tenants shall not subject such property to a lien without the written consent of the owner or owners of such building.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 125.

An Act

To provide for the levy and collection of poor taxes on unseated lands in the county of Elk.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

How taxes to be levied.

That from henceforth the poor taxes shall be levied upon unseated property in the county of Elk, in the same manner as upon seated property.

Overseers to file duplicates with county commissioners by 1st of June.

SECTION 2. It shall be the duty of the overseers of the poor of the respective townships in said county, on or before the first day of June of each year, to file their duplicate of the poor taxes assessed upon the unseated lands in the office of the county commissioners; and such taxes shall be collected in the same manner as is now authorized by law for the collection of other taxes upon unseated lands.

How taxes to be collected.

Upon filing of duplicates, commissioners to draw orders in favor of overseers

SECTION 3. The county commissioners of said county are authorized and required, upon the filing of the duplicates of unseated poor taxes as aforesaid, to draw their orders on the county treasurer, in favor of the overseers of the poor of the proper township, for the amount of the said duplicate, in the same manner and subject to the same restrictions as are now provided by law for the payment of the unseated road taxes by them to the supervisors.

Taxes assessed for year 1870, and returned by overseers, legalized.

SECTION 4. All poor taxes heretofore assessed in said county upon unseated lands for the year one thousand eight hundred and seventy, and returned by the overseers of the poor to the county commissioners, in the manner hereinbe-

fore set forth, are hereby made legal and valid, and shall be collected according to the provisions of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY. —

No. 126.

An Act

To exempt the real estate of the Southwark and North-Western Soup Societies, in the city of Philadelphia, from taxation, except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate of the Southwark Soup Society, situate in the Third ward of the city of Philadelphia, is hereby exempted from all taxes uncollected, heretofore levied or hereafter to be levied, except state taxes; also the North-Western Soup Society, of the Twentieth ward, city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 127.

An Act

To incorporate the Danville Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That Thomas Beaver, Edward H. Baldy, Samuel Yorks, Christian Laubach, Peter Hughes, Gideon M. Shoop, Jacob Seidel, Patterson Johnson, of Montour county, Benjamin G. Welch, O. H. Ostrander, William C. Lawson, of Northumberland county, William Neal, of Columbia county, and J. Merrill Linn, of Union county, and such other persons as may hereafter be associated with them, under the authority of this act, and their successors, are hereby made a corporation, by the name of the Danville Mutual Fire Insurance Company, to be located in the borough of Danville, in Montour county, with all the legal incidents of a corporation aggregate, to have and enjoy all the
Name.	rights, powers and privileges, and to be subject to all the limitations and restrictions provided by the act of the general assembly, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," so far as the same are applicable to mutual insurance companies, except so far as the same are altered and modified by the provision of the second section of this act; the business of the said company to be transacted on the mutual principle exclusively.
Rights, powers, &c.	
Number of directors.	SECTION 2. The number of directors of the said company shall consist of thirteen; the directors of the said company shall be elected annually, on the first Monday of January in each year; and the persons named in the first section of this act shall constitute the board of directors until the first Monday of January next, and until their successors are duly chosen; at elections for directors each member insured by any policy, then in force, shall be entitled to one vote, and for every additional policy, shall be entitled to one vote additional; the said company shall be restricted to insurance against loss by fire on buildings and personal property, and for terms not exceeding five years.
Election of directors.	
First directors.	
Votes.	
Restrictions.	

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 128.

An Act

To increase the capital stock of the Glendon Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,*

That the Glendon Iron Company be and are hereby authorized and empowered to increase their capital stock two hundred thousand dollars: *Provided*, That within sixty days after the issuing of the whole or any part of the stock, hereby authorized, the said company shall pay into the treasury of the commonwealth a tax of one-half per centum upon the par value of the stock so issued.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 129.

Supplement

To an act authorizing the school directors of Plymouth borough to borrow money for the erection of two school buildings for public schools, approved the sixteenth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the school directors of Plymouth borough, Luzerne county, be and they are hereby authorized to borrow, upon the credit of said borough, such sum or sums of money as may be required to complete and furnish the two school houses in course of erection for said borough, not exceeding five thousand dollars, at a rate of interest not exceeding seven per centum.

Directors authorized to borrow money.

SECTION 2. The said school directors be and they are hereby authorized to make and issue bonds, with coupons attached, for the payment of which the said borough hereby is pledged, for the amount they borrow, not exceeding the sum of five thousand dollars, and at a rate of interest not exceeding seven per centum, payable semi-annually, redeemable at any time, not exceeding ten years from date of bond; said bonds to be exempt from all taxation under the laws of this commonwealth, except for state purposes.

Authorized to issue bonds.

Bonds to be exempt from taxation.

BUTLER B. STRANG,
Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 130.

A Supplement

To an act, entitled "An Act to establish the Pittsburg fire department," passed the twenty-third day of March, one thousand eight hundred and seventy.

Preamble.

WHEREAS, The efficiency of the fire department of the city of Pittsburg is greatly impaired by the interference with its officers while in the discharge of their duty :

And whereas, The act authorizing the creation of such department, and the ordinance passed by the councils of said city on the fourteenth day of April, one thousand eight hundred and seventy, and the rules adopted by the commissioner in pursuance of said ordinance, fail to afford an adequate protection to such officers ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Interference with officers and employees, whilst on duty, prohibited.

That from and after the passage of this supplement it shall be unlawful for any person or persons to interfere with, obstruct, or resist, the chief engineer, assistant engineer, or any of the subordinate officers or employees of the said fire department, while on duty ; and any person or persons so interfering with, obstructing, or resisting, any such officer or employee, shall be guilty of a misdemeanor, and upon information made in the name of the commonwealth, before the mayor or any alderman of said city, such mayor or alderman shall issue a warrant of arrest to the proper constable, who shall forthwith arrest such offender or offenders ; and upon conviction he or they shall be sentenced to an imprisonment in the county jail, not exceeding sixty days, and to pay a fine not exceeding fifty dollars, or either, or both, in the discretion of the said mayor or alderman : *Provided,* That such person or persons, so convicted, shall have the right to appeal to the court of quarter sessions of the county of Allegheny, upon his or their entering sufficient bail, in a sum not exceeding five hundred dollars, which court shall re-hear the charge preferred, with like power to dispose of the same as that conferred on the said mayor and alderman.

Penalty.

Proviso.

Officers and employees, with apparatus, to have right of way in going to fires.

Penalty for refusing right of way, &c.

SECTION 2. The aforesaid officers and men of the said fire department, with their apparatus of all kinds, shall, when on duty, have the right of way in going to or at any fire, and in any highway, street or avenue, over any and all vehicles of any kind, excepting those actually carrying the United States mail ; and any person or persons, in or upon, or controlling any vehicle, who shall refuse the right of way, or in any way willfully obstruct any fire apparatus, or any of said officers, while in the performance of duty, shall be guilty of a misdemeanor, and liable to conviction in the same manner to the punishment and penalty prescribed in the first section of this supplement.

SECTION 3. That in case any person or persons shall commit the offence set forth in the foregoing section, the chief engineer, or the assistant engineer, or in their absence, the officer having charge of the apparatus and men, shall have the power to order the immediate arrest of such person or persons, and such order shall be sufficient authority to any police officer to make such arrest, and hold in custody such person or persons, until opportunity shall be afforded to hear and determine the charge, as hereinbefore prescribed, or until bail is entered for a hearing before a magistrate of said city.

Officer in charge of apparatus and men may order arrest of offenders.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 131.

A Supplement

To an act, entitled "An Act to incorporate the Security Safe Deposit, Trust and Guarantee Company," approved the twelfth day of April, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said company shall have power and authority to locate the principal office in the city of Pittsburg, instead of Philadelphia, as provided in the fourth section of the act incorporating said company; and the notice required by section six of said act may be given in two newspapers published in the city of Pittsburg.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 132.

An Act

To authorize the board of control of the school district of the borough of Easton, in the county of Northampton, to borrow money for the purchase of grounds and the erecting of school buildings, and the bonds to be issued be exempt from taxation except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of control of the school district of the borough of Easton, in the county of Northampton, be and the same is hereby authorized and empowered to borrow money, not exceeding in amount the sum of one hundred thousand dollars, for the purpose of purchasing ground and erecting and furnishing school buildings for the use of said district, at a rate of interest not exceeding eight per centum per annum, and to issue bonds or certificates of indebtedness therefor; said bonds or certificates to be executed by the president and secretary of said board, with or without coupons attached, in such sums as the said board may deem proper; and said bonds or certificates to be exempt from all taxation, except state taxes, under the laws of this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 133.

An Act

To place Twelfth street, between Wharton and Reed streets, in the city of Philadelphia, on the public plans, and to open, grade, curb and pave the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the councils of the city of Philadelphia are hereby authorized and directed to place Twelfth street, between Wharton and Reed streets, in the city of Philadelphia, on the public plans of the said city, and to have the said street, between the points named, opened, graded, curbed and paved; the opening of the said street, and the grading, curbing and paving of the same, shall be completed on or before the first day of January, Anno Domini one thousand eight hundred and seventy-two.

Councils to place street on plans of city, and open and pave same.

When work to be completed.

SECTION 2. All acts and parts of acts, heretofore passed, inconsistent with the provisions of this act, are hereby repealed.

Repeal.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 134.

An Act

To provide for the revision of grades on Broad street, in the Twenty-fifth and Twenty-second wards of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia be and they are hereby authorized to fully direct a revision of grades upon the line of Broad street, from Susquehanna avenue to Fisher's lane.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 135.

An Act

Dividing the Twentieth ward of the city of Philadelphia, and to create the Twenty-ninth ward in said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

What territory to constitute Twentieth ward.

That all that certain part of what is now known as the Twentieth ward, lying east of the middle of Broad street, shall hereafter constitute and form the Twentieth ward of said city.

Twenty-ninth ward created.

SECTION 2. All that portion of what is now known as the Twentieth ward, lying west of the middle of Broad street, shall hereafter constitute and form the Twenty-ninth ward of said city.

Representation of wards in councils, relative to.

SECTION 3. Each of the above wards shall be entitled to one member of the select council, and to as many members of the common council of said city as is now or may hereafter be provided by law; at the next annual election the qualified voters of the said Twentieth ward shall elect one member of select council, to serve for three years from the first day of January, one thousand eight hundred and seventy-two; and the term of the present member of select council of the Twentieth ward shall expire on the first day of January, one thousand eight hundred and seventy-two; the qualified voters of the said Twenty-ninth ward shall, at the next annual election, elect one member of select council, who shall serve for three years from the first day of January next ensuing his election; and the qualified voters of each of said wards shall, at the next annual election, and thereafter, elect members of councils as is now or may hereafter be provided by law.

Common councilmen in office to continue until expiration of terms.

SECTION 4. The members of common council now residing within the boundaries of the above created Twentieth ward, and the members of common councils now residing within the boundaries of the above created Twenty-ninth ward, shall continue to represent their respective wards in said councils until the time for which they were elected shall have expired.

Aldermen and constables.

SECTION 5. Each of the above wards shall be entitled to two aldermen and also two constables; and at the next annual election the qualified voters of the said Twentieth ward shall elect one person to serve as alderman of said ward; the qualified voters of the said Twenty-ninth ward shall, at the next election, elect two persons to serve as aldermen and one person to serve as constable of said ward; and the alderman and constables at present acting in said wards shall continue to act as such until the time for which they were elected shall have expired; all vacancies in the office of alderman and constable shall be supplied as is now or may hereafter be provided by law.

SECTION 6. Each of said wards shall constitute one school section; and all vacancies in the office of school director shall be supplied as is now or may hereafter be provided by law.

Each ward a school section. Vacancies in school boards.

SECTION 7. The assessors residing within the bounds of the above wards shall continue to act as assessors for the wards in which they may respectively reside, until the term for which they were elected shall have expired; after which the assessors for said ward shall be elected as is now or may hereafter be provided by law.

Assessors.

SECTION 8. Immediately upon the passage of this act, it shall be the duty of the councils of the said city of Philadelphia, and they are hereby required, to divide the said Twentieth ward into not less than eight election divisions, and the said Twenty-ninth ward into not less than eight election divisions, and to fix the places of voting therein.

Councils to divide wards into election divisions, and fix places of voting.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 136.

An Act

For the relief of Platt Hitchcock, former treasurer of Luzerne county.

WHEREAS, The accounts of the auditor general's department show a balance of ten hundred and fifty-one dollars and fifty cents due by Platt Hitchcock, who was treasurer of Luzerne county for the years one thousand eight hundred and forty and one thousand eight hundred and forty-one, to the commonwealth:

And whereas, The said balance was fully settled and adjusted, about twenty-five years ago, by said Platt Hitchcock with Horatio A. Nicholson, an attorney then practicing at the bar of Luzerne county, and who acted as attorney for the commonwealth in this case:

And whereas, At the time of said settlement the said Hitchcock delivered all his vouchers and papers to said Nicholson, as attorney for the commonwealth, who, as such, expressed entire satisfaction with the settlement, and took said vouchers and papers with the arrangement and understanding that he would forward them to the proper department and have the account adjusted and balanced:

And whereas, The said Horatio A. Nicholson subsequently died and the office and papers of said Nicholson were subsequently burned :

And whereas, The said vouchers and papers cannot be found among the remaining papers of said decedent nor in any of the departments at Harrisburg :

And whereas, Said account has not been settled, adjusted and balanced as in equity and justice it ought to have been, in pursuance of the arrangement with said Nicholson, but the same remains open against the said Platt Hitchcock at the present time ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized and required to adjust and balance the said account ; and the said Platt Hitchcock is hereby exonerated and discharged of all liability to the commonwealth for the aforesaid alleged deficit as treasurer of Luzerne county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred seventy-one.

JNO. W. GEARY.

No. 137.

An Act

Relating to the return and sale of seated lands for taxes in the county of Forest.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the forty-first section of the act, entitled "An Act to reduce the state debt and to incorporate the Pennsylvania Canal and Railroad Company," approved the twenty-ninth day of April, one thousand eight hundred and forty-four, as reads : "*Provided,* That no sale shall be made of such lands for the purpose as aforesaid until the owner or owners thereof shall have refused or neglected to pay the taxes aforesaid for the space of two years : *Provided further,* That the owner or owners of such lands shall have the right to redeem them at any time within one year after receiving actual notice from the treasurer of the county where such

lands lie, that they have been sold, by paying the amount of the taxes and costs due thereon, with interest from the time when said taxes fell due," shall not apply to or be in force in Forest county, from and after the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 138.

An Act

Annexing to the township of Horton, in the county of Elk, certain lands heretofore a part of Huston township, in the county of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act, all that territory embraced within the following boundaries, to wit: Commencing on the southern boundary of Elk county, at the south-east corner of tract known as warrant number four thousand two hundred and forty-two, (4,242;) thence along the line of Jefferson county to the south-west corner of warrant number four thousand two hundred and seventy-five, (4,275;) thence north-easterly by the southern boundary line of said warrant four thousand two hundred and seventy-five to the south-east corner of warrant number four thousand one hundred and eighty-two, (4,182;) thence north along the eastern line of tracts numbered four thousand one hundred and eighty-two, (4,182,) four thousand one hundred and eighty-one, (4,181,) and four thousand two hundred and seventy-one, (4,271,) to the southern boundary of Elk county; thence along said southern boundary of Elk county to the place of being, embracing warrants number four thousand two hundred and seventy-five, four thousand two hundred, four thousand one hundred and eighty-two, four thousand one hundred and eighty-eight, four thousand one hundred and eighty-one and part of four thousand two hundred and seventy-one, heretofore of the township of Huston, Clearfield county, shall be annexed to and be deemed, taken and considered to be a part of the township of Horton, and of the county of Elk.

Certain territory annexed to Horton township, Elk county.

Certified copy of last adjusted valuation of lands annexed, to be delivered county commissioners.

Copy of unpaid taxes for 1871 to be also delivered.

Collection of unpaid taxes, relative to.

SECTION 2. Immediately after the passage of this act, the commissioners of Clearfield county shall deliver to the commissioners of Elk county a certified copy of the last adjusted valuation of the lands within the boundaries described in the first section of this act, with a copy of all the unpaid taxes for the year one thousand eight hundred and seventy-one, and which shall have been assessed and returned for collection.

SECTION 3. The taxes certified by the commissioners of Clearfield county to the commissioners of Elk county shall be collected by the county of Elk, the county taxes for the use of Elk county, and the township or local taxes for the use of the proper authorities of the township of Horton, as if the same had been therein levied and assessed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No 139.

An Act

Providing for the registry of lots in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the city of Pittsburg, under an ordinance and appropriation by the councils thereof, shall cause to be made books of plans of the said city, divided into sections, so far as the streets of the said city are or shall be laid out, which shall show the situation and dimensions of each property therein, with the city numbers thereof and who are the owners, with such succession of blank columns as will permit the names of future owners to be entered therein, with the dates of transfers, and with index for recording such names alphabetically; and the persons or person who shall be employed to perform such duty shall have access to all plans of surveys in the office of any surveyor of said city, to all books in the recorder of deed's office and record of the courts and in the register's office, and may take copies or extracts thereof without any charge therefor.

SECTION 2. The original books, when made, shall be kept in the fire-proof of the department of surveys of the said

City to cause books of plans to be made.

Books, what to show.

Privileges granted persons employed to make books.

Where and how books to be kept.

city; and the said city engineer shall keep the books in his office, so as to show at all times who are the owners of the lots on the plans; and such books shall be kept in such manner as not to destroy the evidence of ownership at any previous time, but by additions which will show the sub-divisions of property, and the owners thereof, as transmissions of title may take place; and the city may furnish copies of said books, or parts thereof, for such price as may be fixed by councils for the use of the city; and his certificate shall be received in evidence as and for such proofs as the assessment books would be; and lithographed copies of the said books may be multiplied and sold for the profit of the said city.

City may furnish copies.

Engineer's certificate to be evidence.

Copies may be sold.

SECTION 3. To enable the engineer to keep up the said books of plans, it shall be the duty of all parties acquiring real estate, by purchase, will, descent, partition or otherwise, to make report to him of such conveyance or transfer, with the precise dimensions and locality of the premises, and so doing the same shall be received without charge and noted on the deed or title paper by the city engineer or his assistant; but if the said party or parties acquiring real estate as aforesaid, shall omit or neglect said duty, they shall be subject to such fine or fines as hereinafter set forth and provided for in section four of this act; and the recorder of deeds of said county shall not admit any deed of conveyance to record in his office; and any recorder of deeds who shall admit to record any deed of conveyance of a lot, or part of a lot, within the city of Pittsburg, which has not been registered, shall, for each offence, be subject to a fine of five dollars, to be recovered by summary conviction or by penal action, in the name of the city of Pittsburg, before the mayor or any alderman of said city, and shall be liable to indictment for misdemeanor in office.

Parties acquiring real estate to make report to engineer.

Penalty for neglect.

Penalty on recorder of deeds for admitting to record deeds of lots not registered.

SECTION 4. It shall be the duty of all owners of houses and lots, or tracts of ground, to furnish forthwith descriptions of their property to the engineer, to aid him in making up his book of plans; and whensoever such descriptions shall have been furnished, and the certificate of the engineer or his assistant shall be received, no property so returned shall be subject to sale for taxes or other municipal claims thereafter to accrue as lien of record thereon, except in the name of the owner as returned, and after recovery by suit and service of the writ on him, as in case of a summons, *scire facias* or other appropriate writ; should this be neglected or omitted, or not complied with as promptly as may be deemed necessary to insure the early completion of the plans, then, after one month's notice by public advertisement in the official papers of the city, to the owners of real estate in said city not registered, and a written or printed notice shall have been served on the owner or owners, or delivered upon the property, should they fail to have such record made, then and in that case they shall be subject to a fine of five dollars for each month of such neglect, dating from the termination of said advertisement; and in case the same be neglected for the space of six months, a lien for the accumulated fines and costs shall be filed and collected as municipal claims are now

Property owners to furnish descriptions of properties.

Sales of properties for municipal claims.

Penalty for neglecting to have real estate registered after notice given.

Neglect for space of six months.

or may be hereafter by law collected, the said fines to be paid into the city treasury; the notices to parties failing to register property may be given so as to embrace the property of any particular ward or section, or any number of wards, or the city at large, at the discretion of the said city engineer.

SECTION 5. All assessments based upon the area or of the lots or tracts of ground within the city limits, shall be made from the descriptions as registered, as far as such descriptions have been entered; when the descriptions have not been registered, no claims for allowances or reductions for overcharges arising from incorrect dimensions of the ground will be considered, until descriptions of such property shall have been presented and registered according to law.

SECTION 6. That the sheriff of Allegheny county shall present the deeds of all property located in the city of Pittsburg that may be sold at judicial sales, whether for partition or otherwise, to the city engineer for registry before he delivers the same to the purchaser; and it shall be deemed a misdemeanor in office for the clerk or prothonotary of any court to admit such deeds to record until the same are properly registered; and the said sheriff is hereby authorized to demand and receive from the purchasers of said property, for said duty, the sum of twenty-five cents for each deed; if the sheriff shall neglect or refuse to perform the duty herein presented, he shall be subject to a fine of five dollars for each offence, to be recovered before the mayor or any alderman of the city of Pittsburg, by summary conviction or penal action, in the name of said city.

SECTION 7. It shall be the duty of the prothonotary and clerks of the several courts of Allegheny county, in which proceedings in partition may be had, or judicial sales, other than sales by the sheriff, may be ordered, or any other proceedings by which property may be divided or transferred whenever such sales or proceedings affect property within the city of Pittsburg, as soon as the same shall have been completed, to make out and deliver to the engineer a description of the property so sold or divided, with a description of the purparts into which the same may be divided, with the names of the original owners and the names of the parties acquiring title by said proceedings; for which services they shall be entitled to receive the sum of twenty-five cents for each certificate and the further sum of twenty cents for each hundred words of said description, to be charged as part of the costs of the case; and any prothonotary or clerk who shall neglect or refuse to make and deliver the certificate herein required, shall be subject to a fine of five dollars, to be collected before the mayor or any alderman of said city, by summary conviction or penal action, in the name of said city of Pittsburg.

SECTION 8. If neither the seller or buyer, devisee or heir, or other party who has acquired a title to houses or lands in the said city, nor the officers above named, shall have furnished the description of the property sold as aforesaid, both he who may have parted with and he who acquired title shall be liable for the taxes and assessments thereafter assessed thereon, without right or reclamation or contribution there-

Certain assessments to be made from descriptions.

Certain claims not to be considered until descriptions are registered.

Duty of sheriff.

May demand certain sum from purchasers of property.

Penalty for neglect of duty.

Duty of prothonotary and clerks of courts.

Penalty for neglect of duties.

Who liable for taxes, &c., in case descriptions of properties are not furnished.

for, either against the other ; and if the lands or houses sold be afterward sold for taxes or assessments thereafter accruing as a lien by record, before said duty shall have been performed, with the name of the former owner, the purchaser shall acquire title of said owner, and all claiming under him ; but if the said duty of making the return, as required by this act, shall have been discharged by the party who shall have acquired title, in whatsoever manner, before the tax accrued as a lien of record for which the same shall have been sold, the purchaser, at the tax sale, shall not acquire the title of such persons who shall have performed said duty, or of his heirs or assigns, unless the sale shall have been made in the name of such owner, after service of process upon him, as in the case of suit by summons, *scire facias* or other appropriate writ : *Provided however*, That such owner shall repay to such purchaser, within one year from date of deed, with ten per centum added thereto ; such owners not complying with this proviso shall have no right or title to such property, but the title shall remain good in the purchaser.

Titles to properties sold for taxes or assessments, relative to.

SECTION 9. The city engineer shall preserve on file, arranged alphabetically and according to date, all reports made to him of descriptions of houses and lands, and shall give his certificate, at the foot of a duplicate of the description or descriptions, that report has been made to his office of the description of the designated property or properties, when a duplicate of description shall be produced to him with the certificate written out for his signature, and his certificate shall be evidence for the receiver of it, and any clerk, prothonotary, register and all others, that this law has been complied with.

Engineer to preserve reports and give certificate.

SECTION 10. It shall be the duty of every assessor, whenever he shall find any property to be owned differently from the name in proper assessment book, to report such change to the city engineer without delay, and the city engineer, if finding such report to be correct, shall make the book of plans conform by the proper entry, but without erasure of any name ; and the failure of the assessor to perform this duty shall subject him to a fine of or a penalty of five dollars for each omission, to be recovered by said engineer, in the name of the city, as debts of like amount are recoverable by law.

Duty of assessors who find property owned differently from name in assessment book.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 140.

An Act

To authorize the burgess and town council of the borough of Connellsville, in the county of Fayette, to borrow money for public improvements, and the bonds to be exempt from taxation except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Connellsville, in the county of Fayette, are hereby authorized to borrow money, not exceeding fifteen thousand dollars, for the purpose of improving the streets, alleys and public grounds in said borough, and to issue bond or bonds therefor, payable at any time within ten years, bearing interest not exceeding eight per cent. per annum, and the bond or bonds so issued to be free of all tax except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 141.

An Act

To incorporate the Penn's Mount Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. C. Hoff, Henry Bushong, Jacob Bushong, W. B. Griesemer, Isaac Althouse, Eli S. Fox, Henry S. Eckert, B. Frank Boyer, W. R. Hinnershitz, James Roch, Hiram Schitler, Charles Breneiser, Charles Henninger, S. S. Stevens, Allen Bechtel, Samuel B. Heckman, F. S. Bernhart, George K. Levan, S. L. Rhoads, William Levan, Isaac W. Levan, John P. Dauth, M. G. Feather, Adam Bard, I. G. Klapp, Jacob Potteiger, J. R. Ritter, Levi Potteiger, M. B. Scull, W. H. Rhode,

Commissioners.

Hiester Clymer, W. A. Arnold, Adam Kutz, Joseph Rambo, George F. Bear, William Behm, Joseph L. Stichter, F. S. Bickley, Michael Haak, John S. Pearson, H. A. Eppenheimer, George Lerch, Levi Schlott, Samuel Buck, John M'Manus, James M'Carty, John M'Knight, Peter Hoch, Enau Mishler, J. Hagenman, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Penn's Mount Turnpike Road Company, with power to locate and construct a turnpike road, from a point on Penn's Mount, known as the White Spot, thence extending along said mountain to a point in the public road between Samuel Fick's and James M'Knight's, in Alsace township, Berks county, Pennsylvania; and also a road leading from a point at or near the Berks county prison, to the said White Spot, on the site of any public road or roads, or otherwise, as the company may direct, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except that upon the road on Penn's Mount, from the White Spot to the public road aforesaid, the company may charge any rate of toll they agree on, not exceeding five cents a mile for each horse: *Provided however*, That when the company, hereby incorporated, shall have finished one mile or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine.

Title.
Construction of
turnpike au-
thorized.

Subject to.

Tolls.

Notice to gov-
ernor.

SECTION 2. That the capital stock of the company shall be fifty thousand dollars, divided into shares of twenty-five dollars each: *Provided*, That the company may from time to time, by a vote of the stockholders, at a meeting for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

Capital stock

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 142.

An Act

Providing a pension to Mercy Lock, widow of John Lock, a revolutionary soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That eight dollars per month is hereby appropriated to Mercy Lock, the widow of John Lock, a revolutionary soldier, to be paid to her every three months by the state treasurer, commencing with January the first, one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 143.

An Act

To incorporate the Fusi-yama Tea Importing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John S. Black, Henry J. Adair, Wilson M'Candless, Jr., W. R. Boggs, James Adair, and their associates and successors, be and they are incorporated into a body corporate and politic, by the name, style and title of the Fusi-yama Tea Importing Company, and by that name, style and title shall have perpetual succession, and be able and capable in law to sue and be sued, plead and be impleaded, to have a common seal, and the same to alter, modify or renew at pleasure, and to adopt any by-laws, rules and regulations which may be found necessary or convenient for the government of said corporation, and not contrary to law, and shall be capable of purchasing, acquiring and holding any real or personal estate which may be necessary or convenient for their purposes, and the same to exchange, barter, sell or otherwise dispose of at

Corporators.

Title.

Powers and
privileges.

their pleasure, and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter and thing which a corporation may lawfully do.

SECTION 2. Said corporation shall have power to engage in the business of importing teas from Japan, China, or elsewhere, and trading in the same, and may purchase and sell teas and trade in the same in the state of Pennsylvania or elsewhere. May import, purchase and sell teas.

SECTION 3. The corporators named in the first section of this act, or a majority of them, may organize said corporation by the appointment of a president and such other officers as they may deem necessary, who shall serve until their successors shall be elected by the stockholders, in pursuance of the by-laws; and no failure to elect officers at any time shall operate as a non-user, but those in office shall continue therein until others are duly chosen. Organization.

SECTION 4. The capital stock of said corporation shall be fifty thousand dollars, to be divided into shares of ten dollars each; and the corporation shall have power to increase its capital stock, from time to time, to an amount not exceeding in all two hundred thousand dollars. Capital stock.

SECTION 5. The holders of stock in said corporation shall be entitled to one vote for each share of stock held by them, and may vote either in person or by proxy. Votes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 144.

An Act

To enable the German Reformed Salem congregation of Philadelphia to sell, lease, purchase and hold real estate.

WHEREAS, The German Reformed Salem congregation of Philadelphia, a religious society, incorporated under and by virtue of the laws of the state of Pennsylvania, is about to change its place of worship, and is desirous to sell or lease the property now held by it and purchase other real estate, and has no authority so to do by virtue of any provision in its charter; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the German Reformed Salem congregation of Philadelphia shall have authority, and is hereby authorized, to sell in fee simple, or lease for years, such real estate as may now be held by them; and they are further authorized to take and hold any other real estate, to them and their successors in fee, to be by them used for a church site, to be improved or for any other purpose whatsoever, providing the clear yearly profits or income of the same shall not exceed the sum of five thousand dollars, and the same again to sell and convey, in fee simple, to any purchaser or purchasers, to hold the same in absolute ownership and unrestricted use and enjoyment.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 145.

An Act

Supplementary to an act, entitled "An Act to enable the school directors of the Fourth ward, in the city of Allegheny, in the county of Allegheny, to borrow money," approved April first, Anno Domini one thousand eight hundred and seventy, increasing rate of interest on bonds, and exempting the same from state taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to enable the school directors of the Fourth ward, in the city of Allegheny, in the county of Allegheny, to borrow money," approved the first day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby amended, so that the bonds or certificates of indebtedness, by said act authorized to be issued, shall bear interest at a rate not exceeding eight per centum per annum.

SECTION 2. That the bonds or certificates of indebtedness, now or hereafter issued by virtue of said act, or of this sup-

Interest on
bonds increased.

Bonds exempted
from taxation.

plement, shall be exempt from taxation except for state purposes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 146.

A Further Supplement

To an act, entitled "An Act to incorporate the Monongahela Water Company," approved the twenty-first day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Monongahela Water Company be and it is hereby authorized and empowered to increase the capital stock of said company to an amount not exceeding two hundred thousand dollars, over and above the amount of the capital stock of said company now authorized by law, the additional amount to be divided into shares of twenty-five dollars each, for which subscriptions may be taken, and certificates issued by the said company, on payment of the amount of said additional shares, as provided in the act to which this is a supplement.

Authorized to increase capital stock.

SECTION 2. That said company be and it is hereby authorized and empowered to extend its main supply, and all other pipes for conducting and supplying water to, in and through the boroughs of Ormsby, St Clair, Allentown, Mount Washington, West Pittsburg and Temperanceville, and the townships of Lower St Clair, Union and Chartiers, in the county of Allegheny, including fire plugs, and all the appliances for supplying water to the people of said boroughs and townships; and all the powers, authorities, rights, privileges and franchises now vested in, and hereby granted to said corporation, may and shall be extended to said boroughs and townships above mentioned, and the same may be hereby exercised and enjoyed therein, (subject to the limitations and restrictions in the act of incorporation contained,) including the power to erect additional or other machinery, reservoirs and appliances for supplying water, as well as the power to acquire title to the necessary land for that purpose, in the mode prescribed in the act incorporating said company, as fully

May extend pipes through certain boroughs and townships.

Powers, privileges, &c.

as the same are now by law claimed, exercised and enjoyed, and shall or may be claimed, exercised and enjoyed, by virtue of the powers hereby granted by the said Monongahela Water Company, in and within the corporate limits of the boroughs of Birmingham, East Birmingham, South Pittsburg and Monongahela.

SECTION 3. That said company shall have power to adopt a schedule or schedules of rates, in the nature of rents, by and at which water may be supplied to the public by said company, for the term of one year, commencing on the first day of April, in each year, (reserving, nevertheless, to said company, the right, by special contract, to fix special rates;) which said rates or rents shall be and become due and payable in advance; and the premises on which water supplied by said company may have been used for the whole or part of said year, whether the same may have been introduced on said premises by permission of said company, or obtained off the said premises, from hydrants or otherwise, with or without the permission or knowledge of said company, shall be charged with the payment of said annual water rate or rent; and the same shall be a lien on said premises, and may be enforced by said company, by filing in the office of the prothonotary of the court of common pleas of Allegheny county, a statement, signed by the president of said company, or its agent or attorney, containing a brief description of the premises charged, sufficient to identify the same, the name of the owner or reputed owner thereof, and if said owner be unknown, the name or names of the person or persons last in possession of the same, the amount of the annual water rent or rate due, and the year or years for which the same may be due; and said lien and charge may be prosecuted by writs of *scire facias* and *levari facias* to judgment and sale of the premises charged; and for entering said lien the prothonotary aforesaid shall receive the sum of fifty cents: *Provided*, That nothing hereinbefore contained shall be construed to take away from said company the right, at its election, to turn off the water in case of the non-payment of the annual rent aforesaid.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

May adopt
schedules of
rates.

Rates to be due
in advance.

Premises on
which water
is used to be
charged with
payment of
rates.

How payment
of rates to be en-
forced.

No. 147.

A Supplement

To the act, entitled "An Act to incorporate the Erie City Passenger Railway Company," approved March first, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for completing the branches of the Erie City Passenger railway be extended for five years from the expiration of the time provided for by the act approved March twelfth, one thousand eight hundred and sixty-eight. Time for completing branches extended.

SECTION 2. That the said company be and is hereby released from maintaining and operating the main line of their road from the corner of Second and Holland streets westwardly to State street. Released from operating portion of main line.

SECTION 3. That the said company is empowered and authorized to lease the main track or either of the branches; the company is empowered to build on the main track and branch or branches, for such period as the parties may agree upon, not exceeding the period the company may exist as a corporation. May lease main track or branches. May build on main track or branches.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 148.

An Act

To incorporate the city of Oil City, and to provide for the payment of the debt of the borough of Oil City.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the inhabitants of the borough of Oil City and Venango City, in the county of Venango, and the inhabitants of the districts immediately adjoining said boroughs, included within Incorporation.

Name.
Powers and
privileges.

Boundaries of
districts adja-
cent to bor-
oughs.

the boundaries hereinafter mentioned, are hereby constituted a corporation and body politic, by the name and style of the city of Oil City, and by the same name shall have perpetual succession, and they and their successors, by such name, shall at all times be able and capable in law to purchase, receive and hold forever, or for any shorter time, lands, tenements and hereditaments, goods and chattels, by such name to sell, convey, mortgage, encumber and dispose of the same at their pleasure, and by the said name shall be capable in law to sue and be sued, in all courts of record and elsewhere, in all manner of suits, actions, causes and complaints that to the said city, as a body politic and corporation in law and in fact, shall and may appertain, and for that purpose shall have and use a common seal, and the same from time to time may change, deface and make anew; that the districts above named, lying adjacent to said borough, and hereby incorporated into said city, shall be all that territory north of the Allegheny river, included between the present boundaries of the borough of Oil City and the following lines of boundaries, viz: Commencing at the west corner of the Siverly farm, on the bank of the Allegheny river; thence by the west line of the Siverly farm, in its various courses, to the most northerly corner of the same; thence by line separating lots number one and two of the Siverly Run Oil Company north ten degrees east forty-one and eight-tenth rods; thence north forty-four degrees west forty-five rods to the line of lands owned by Hasson and Company; thence through said lands north eight degrees east to the line of the Clapp farm; thence north eighty-seven and one-half degrees west to the south-west corner of the Clapp farm; thence north eight degrees east to the centre of Oil creek; thence following the line separating the lands of the Hoffman Petroleum Company from the adjoining lands, as follows: North sixteen degrees and thirty minutes east sixty-two rods, south eighty-four degrees and thirty minutes west seventy-seven and five-tenths rods, north eight degrees and thirty seconds west fifty-four rods to the north-west corner of said Hoffman Petroleum Company; thence through other lands south-westwardly to a corner of lands owned by the Oil City Land Company; thence along said lands north eighty-seven degrees and fifty-one minutes west two hundred and thirty-five rods to another corner of the same lands; thence south thirty-eight and one-half degrees west eighty rods to a post; thence south seven and one-half degrees east one hundred and forty-nine rods to a hemlock tree; thence south twenty-five degrees and twenty minutes east eighty-five and two-tenths rods to a tree below the mouth of Charley run; thence up the river to the line of the present borough limits; and all that territory lying south of said Allegheny river, bounded on the east by the present western boundary of the borough of Venango City, on the south by the southern boundary of said borough of Venango City extended in the same direction until it intersects the western boundary of the Moran farm, on the west by the said western boundary of the Moran farm, and on the north by the Allegheny river: *And provided further, That*

the executive and legislative powers hereinafter granted shall extend to any bridges now constructed, or hereafter constructed, over the Allegheny river, within the limits of said city, so far as they relate to offences coming within the jurisdiction of said powers, as hereinafter provided.

SECTION 2. That said city shall be divided into six wards, in manner following, viz: All that part of the city lying north of the Allegheny river, east of the Warren and Franklin turnpike and Haines street continued until it reaches the Allegheny river, shall constitute the First ward; all that portion of said city included between said Warren and Franklin turnpike and Haines street, extended as aforesaid, and Oil creek, shall constitute the Second ward; and all that portion lying west of said Oil creek shall constitute the Third ward; all of said city lying south of said river and west of Central avenue, shall constitute the Fourth ward; all of said city included between said Central avenue and Imperial street, and the boundary line between the Imperial Oil Company and the Laytonia Town Oil Company, shall constitute the Fifth ward; and all east of said Imperial street and said boundary line between the Imperial Oil Company and Laytonia Town Oil Company, shall constitute the Sixth ward.

Divided into six wards.

First ward.

Second ward.

Third ward.

Fourth ward.

Fifth ward.

Sixth ward.

SECTION 3. That the executive and legislative powers of said city shall be vested in a mayor and city council, which council shall consist of two members from each ward; the qualified voters of said city shall meet at their respective places of holding elections in said boroughs, on the first Tuesday of April, one thousand eight hundred and seventy-one, and on the same day annually thereafter, and elect one person who shall be mayor of said city, who shall hold his office for one year, and two councilmen from each ward of said city, one of whom shall serve for one year and one for two years, to be determined by lot between themselves when assembled in council; and annually on the same day thereafter said qualified voters shall elect, besides the mayor, one councilman from each ward, to serve two years; the mayor and councilmen shall be legal and qualified voters of said city, and the councilmen shall reside in the wards from which they are chosen; when vacancies occur among said councilmen by death, resignation or removal from the ward, the council shall appoint a person from the ward in which such vacancy shall occur, having the necessary qualifications to serve during the remainder of the term or until a successor shall be elected by the voters at the next election.

Mayor and councilmen, election of, &c.

SECTION 4. That it shall be the duty of the mayor to promulgate the laws, ordinances and regulations of said city, and to attend to the due execution and fulfillment of the same; he shall preside at the meetings of the city councils and give the casting vote in cases of tie; he shall sign all ordinances passed by council; he shall have and exercise the criminal jurisdiction of a justice of the peace so far as it regards the offences, of whatever nature, committed in said city; he shall also have jurisdiction in suits for fines and penalties inflicted by virtue of any city ordinance, and shall have the control of the police force; he may call special meetings of the council

Duties, jurisdiction and powers of mayor.

- Vacancy in office of mayor. when any public exigency may require or upon the written request of three (3) members of council; when a vacancy shall take place in the office of mayor, such vacancy shall be filled by an election for the remainder of the term, to be held within twenty days after such vacancy shall occur, at the places of holding elections, as hereby provided, of which election the city council shall give notice by publication in a newspaper printed in said city, and in the meantime the council may elect one of their number to act as mayor: *Provided*, That the said fines do not exceed two hundred dollars; and that all fines and penalties recovered by the mayor, or any alderman, for offences committed in said city, shall be paid into the city treasury;
- Fines and penalties to be paid into the city treasury. Salary of mayor. SECTION 5. That a majority of the city council shall constitute a quorum; that it shall meet at least once in each month for the transaction of business, and shall sit with open doors, and in the absence of the mayor may appoint one of its members to preside *pro tempore*.
- Quorum and meetings of council. SECTION 6. That the council of said city is hereby vested with full power to ordain and establish such ordinances and regulations, not repugnant to the constitution and laws of the United States or of the commonwealth of Pennsylvania, as they may deem expedient or necessary for the good government and welfare of the said city; to establish a police department and make all necessary regulations for the same, and to pass ordinances for the preservation of the public peace, the suppression of vice and immorality, the promotion of the public health, and particularly to enact ordinances for the following purposes:
- Council may ordain and establish ordinances and regulations. *First.* To survey, lay out, enact and ordain such streets, lanes, alleys, courts, common sewers, culverts, drains, as they may deem necessary.
- Surveys of streets, alleys, &c. *Second.* To regulate the streets, lanes, alleys, common sewers, culverts, common grounds, foot-walks, pavements, curbs, gutters, and the heights, grades, widths, slopes and forms thereof, to regulate the filling, grading and paving of the streets, lanes, alleys and courts, and the widening and straightening thereof.
- Regulation of streets, lanes, &c. *Third.* To require and direct the grading, curbing, paving and guttering of the side or foot-walks by the owner or owners of the lots of ground respectively fronting thereon.
- Grading and paving of side-walks. *Fourth.* To cause the same to be done, on failure of owner or owners thereof within a certain time, to be prescribed by ordinance, and to collect the cost of the work and materials, with twenty per centum advance thereon, from said owners; and on failure of said owner or owners to pay, the said council shall have power to direct the city attorney to file claims therefor, in the name of the city, in the court of common pleas, under the provisions of the laws relative to mechanics' liens, against the owner or reputed owner or owners, with the same effect, as to extent of lien and legal proceedings and sale, as in other cases under said laws; and the city shall re-
- When to have grading and paving done, and collect cost thereof from property owners

cover costs in said proceedings, and there shall be no exemption of property from levy and sale in such cases.

Fifth. To pass ordinances regulating foundations of buildings and party walls thereof, and respecting vaults, cess-pools, sinks, drains and partition fences. Foundations, party walls, &c.

Sixth. To regulate by ordinance the storage of petroleum, oil and refined oil, whether in tanks, vats or barrels, so as to conduce to the general safety; to regulate the storage and sale of gunpowder, fire-works, nitro-glycerine, torpedoes and other inflammable or dangerous articles. Storage and sale of dangerous articles.

SECTION 7. To prohibit by ordinance and to remove any obstructions in any of the streets, roads, alleys, lanes or courts of the city; to abate any public nuisance and to require the removal of the same by the owner or occupier of the ground on which the same may be; in default of which they may cause the same to be removed, using such force as may be necessary, and collect the cost thereof, by suit, from such owner or occupier, with twenty-five per centum advance thereon, together with costs, in the manner in which debts of like amount are recoverable by law, and without the right of exemption of property from levy and sale on execution. Obstructions and nuisances.

SECTION 8. To prohibit by ordinance the carrying on of any business, manufacture, art, trade or occupation that may be noxious or offensive to the inhabitants, and to abate the same with such force as may be necessary for the purpose, under the regulations mentioned in the last preceding paragraph. Carrying on of offensive trades.

SECTION 9. To pass ordinances, make rules and regulations relating to the manner and speed of running railroad engines and trains within the limits of the city. Speed of railroad engines and trains.

SECTION 10. To pass ordinances providing for the regulation of seals, weights and measures within the city, according to the standards of the commonwealth. Seals, weights and measures.

SECTION 11. To pass ordinances respecting markets, the hawking and peddling of market produce and other articles, of any sort, within the city; to authorize the killing of dogs running at large contrary to ordinances; to prohibit and otherwise regulate the running at large of horses, cattle, swine, geese, goats and other animals. Markets, Dogs, Animals at large.

SECTION 12. To regulate or prohibit the exhibition of theatres, circuses, plays, shows, mountebanks, jugglers and all other exhibitions within the limits of the city. Theatres, shows, &c.

SECTION 13. To provide a place or places for holding meetings of council, and for the transaction of all business connected with the city, so that its officers may be properly accommodated, and the records and papers belonging or appertaining to the said city shall be securely and safely kept. Places for meetings of council.

SECTION 14. To appoint such number of policemen, together with a chief of police, as shall be necessary for the maintenance of the peace, order, protection and safety of the city and its inhabitants, and the protection of public and private property, and to regulate the salaries of said officers and to prescribe their duties; the chief of police shall execute the orders and warrants of the mayor, and make report to him of Police.

his proceedings once a week, at least, and shall have command of the policemen of the city.

Tax on dogs.

SECTION 15. To levy and collect annually a tax of one dollar upon the owner of one dog, and two dollars on the owner of one bitch, and in like proportion for any greater number.

Accumulations of manure.

SECTION 16. To pass all needful ordinances regulating the accumulations of manure, compost and the like, in barns, stables and stable-yards and other places.

Abatement of houses of ill fame.

SECTION 17. To pass ordinances authorizing the police to abate all houses of ill fame, and to close the same after ejecting the inmates, and to bring all prostitutes before the mayor or magistrates for examination and committal, if necessary; but these remedies are hereby declared to be only auxiliary to the general laws of the commonwealth; and remedies prescribed by those laws may be, nevertheless, invoked.

Sale of wood, coal, &c.

SECTION 18. To pass ordinances regulating the manner of exposing for sale wood, coal, lime and hay within the limits of the city.

Licensing of cartmen, porters, &c.

SECTION 19. To pass ordinances regulating the licensing of cartmen, porters, drivers of hackney carriages and all other vehicles for public purposes or hire, and those used for carrying passengers or baggage for hire, and to limit their compensation.

Discharging fire-arms, &c.

SECTION 20. To pass ordinances providing for the punishment of discharging fire-arms of any description, rockets, gunpowder and fire-works in the streets of the city or in the immediate vicinity of any building.

Gas and water.

SECTION 21. To pass ordinances providing for the lighting of the city and supplying the same with water, and in case gas and water, or either of them, are introduced into the city by regularly incorporated companies, to pass such ordinances respecting the same as are provided for in the laws of the commonwealth which regulate the incorporation and regulation of gas and water companies.

Construction of wooden buildings, chimneys, &c.

SECTION 22. To pass ordinances regulating the construction of wooden buildings, chimneys, fire-places, flues and other arrangements for heating dwellings, offices, stores, factories and other buildings, and for those purposes they shall have power, by themselves or by a committee or otherwise, to enter upon any premises within the city, in the day time, and if such precautions have not been taken in the said constructions as are required by ordinance, to require such alterations as shall conform to the requirements of the law; and if such alterations are not made immediately after notice, they shall cause said alterations to be made and collect, by suit, the expense thereof from the owner of the premises, or if the improvements are made by a tenant or tenants, from the tenant or tenants, with the addition of twenty per centum of the actual cost added to the bill, with costs, in like manner as debts of the same amount are by law recoverable, and without the right of exemption in case of levy and sale of property.

Removal of dead animals.

SECTION 23. To pass ordinances for the removal of carcasses of dead animals from the streets of the city, and from any lot, building or improvement belonging to any citizen or

occupied by any tenant; and if such removal shall not be immediately made by said owner or tenant, after notice given, they shall cause the same to be done, under the penalties, regulations and provisions as are set for in the last preceding paragraph.

SECTION 24. To pass ordinances prohibiting, if they shall deem it necessary, the drilling of any oil well or wells within the limits of the city, and to regulate the management of wells already drilled and worked, or that shall be drilled and worked, so as to promote the safety of property and protect the lives of the inhabitants.

Drilling, &c., of oil wells.

SECTION 25. The specifications of the above and preceding subjects shall not exclude the said councils from passing such further ordinances as shall be necessary for the good government and general welfare of the said city and its inhabitants.

Ordinances may be passed upon other subjects.

SECTION 26. The council of said city shall have powers to impose a license or fee on beer saloons, billiard saloons, dining saloons, restaurants and all places at which distilled, vinous or fermented liquors are sold, by less measure than one quart, in said city; the amount thereof, the manner of collecting the same shall be determined and regulated by ordinance.

Licenses on beer saloons, &c.

SECTION 27. The council of said city shall have power to provide or erect a lock-up house for the temporary detention of persons committed by the proper corporate officers, aldermen, justices of the peace or mayor, within the said city.

May provide lock-up.

SECTION 28. The council of said city shall have power to levy and collect a tax for fire purposes, not to exceed half per centum on the assessed valuation of said city, for the use of the fire department; which said fire department shall be under the control of the said city council; that when districts are referred to in this act, the territory north of the Allegheny river shall constitute the first district and that south of said river the second district.

May levy and collect tax for fire purposes.

First and second districts constituted.

SECTION 29. That said mayor and city councilmen shall meet and take the oath of office above prescribed, and enter upon their duties within ten days after their election as aforesaid, and annually thereafter within the same period; and when said oaths have been administered and said council organized, the mayor shall, by proclamation, declare said city to be fully organized; said proclamation to file among the archives of the council.

When mayor and councilmen to enter upon duties.

SECTION 30. The said city council shall have power at any time to borrow, for the use of the said city, any sum or sums of money they shall deem necessary, and to issue certificates of loan, for the amount so borrowed, to the persons lending the same; and the said certificates, signed by the mayor of said city, and attested by the clerk of the council, shall be binding and obligatory on the corporation: *Provided*, That the sums of money so borrowed shall not at any one time exceed the sum of ten thousand dollars, for the re-payment of which and the payment of interest thereon, not exceeding six per centum per annum, the faith of the city shall be fully pledged; and said loans shall be subject only to the payment of state taxes: *Provided however*, That the whole amount,

Council may borrow money and issue certificates therefor.

Loans to be exempt from taxation.

or amounts, so borrowed, shall not exceed, in gross amount, fifty thousand dollars.

Levy and collection of taxes for city purposes, relative to.

SECTION 31. The said council shall have full power to lay and collect taxes, for city purposes, within the limits of said city, for the re-payment of all loans and interest due thereon, to meet and pay the expenses of the city government and salaries of all officers and the police, and to meet and pay all expenses of carrying into effect the ordinances, rules and regulations of said city, and they shall direct the amount thereof to be applied to health, poor and streets, city and other purposes; and when the rates are fixed, the taxes shall be so rated as to show how much is raised for said objects respectively; the said taxes shall be paid to the city treasurer; the council shall have power to appoint a tax collector, who shall hold his appointment one year and give bond, with sufficient security, the amount to be fixed by the council, and the sureties to be approved by the mayor, for the faithful performance of his duty; duplicate tax bills shall be made out by the treasurer, and the collector shall proceed to collect the taxes due, and from all sums received by him he shall be entitled to deduct five per cent. for collection, in full compensation for his services, or such compensation as the council shall hereafter determine, not exceeding five per cent., and he shall pay the remainder to the treasurer without delay; if any person or persons shall neglect or refuse to pay any taxes due, for thirty days after the time of demand made, the collector holding the duplicate wherein such tax shall be charged, shall levy such amount, with costs, by distress of goods and chattels of such delinquent, giving him three days' notice thereof, and there shall be no exemption of property to any amount under such proceedings; all bills for taxes shall be ready for tax-payers, and the taxes shall be due on the first day of June, in each year; if any tax-payer shall pay his taxes on or before the tenth day of June, in each year, he shall be entitled to a deduction, not exceeding five per cent., on the same, for prompt payment; and the tax collector shall give public notice when and where he will receive said taxes, and such place for receiving said taxes shall be at some public and convenient point within said city, and it shall be the duty of said collector to be at such place from nine o'clock A. M. until five o'clock P. M., and for all taxes so recovered by him up to and on said tenth day of June, said collector shall be entitled to a compensation of two per cent. only; and the said collector shall have all the powers given by law to the township collectors of county rates and levies, and be subject to all the pains and penalties of said collectors; and all taxes, rates and levies assessed upon real estate in said city shall be a lien upon said real estate until paid; if paid or collected by the collector within the time before mentioned the lien shall cease; if the tax-payer neglects to pay the same, then and in that case it shall be the duty of the tax collector to return, on oath, to the city treasurer that after diligent search he can discover no goods or chattels belonging to the tax-payer upon which to levy for the same, thereupon the collector shall be relieved from further responsi-

bility, and the treasurer shall immediately cause a claim for the same to be registered in the office of the clerk of the council of said city, and the lien shall be continued until the taxes are fully paid and discharged; the treasurer shall have full power to enforce the payment of said registered taxes at any time within five years, with costs on legal proceedings, by suit in the court of common pleas, in which the city shall be plaintiff and the tax-payer defendant, by the name of owner or reputed owner, in the same manner as in suits of *scire facias* upon mortgage; and a copy of said registry, filed in the office of prothonotary of said court, in said suit, shall be sufficient to warrant a judgment for want of an affidavit of defence; and the said real estate may be sold on said proceedings, though aliened by the tax-payer, for value, in the meantime.

SECTION 32. The said council shall appoint one person as treasurer, and one person for street commissioner, and one person for city attorney, to hold their said offices during the pleasure of the council; the treasurer to give a bond, in such form and for such sum as the said council, by ordinance, shall prescribe and for the faithful performance of his duties; at the annual election each district shall elect two suitable persons to serve as assessors, to hold their office for the term of one year, whose duty it shall be to value and assess the property of said city for city purposes; and said assessors shall meet and form a board of appeal for equalizing and regulating all assessment; first year to meet within ten days after election, and each year thereafter they shall meet on the third Monday of April; all oaths or affirmations to be made by the treasurer, street commissioner and city attorney, and the assessors, shall be reduced to writing and be filed in the office of clerk of council, before any of said officers shall enter upon the performance of their duties.

Treasurer, street commissioner and city attorney.

Assessors.

When to meet for equalizing assessments.

Oaths of treasurer, &c., to be in writing and filed.

SECTION 33. That the said city council shall appoint a clerk, who shall keep a record of all their proceedings, and also of all laws, ordinances and regulations passed by said council; and all such laws, ordinances and regulations shall be published for the period of two weeks, in at least one newspaper printed in said city, or by at least twenty handbills posted in conspicuous places therein, ten days before any such laws, ordinances or regulations shall have any force and effect and become binding on said corporation.

Clerk to council.

Ordinances, &c. to be published.

SECTION 34. That the mayor or members of said city council, clerk, and all officers elected or appointed by virtue of this charter, shall be sworn or affirmed by any officer having authority to administer oaths, or by the mayor or any member of said council, to support the constitution of the United States and the constitution of Pennsylvania, and that they will perform their respective duties with fidelity.

Officers to be sworn.

SECTION 35. The fiscal year of said city shall commence on the first Tuesday of April; all ordinances of the borough of Oil City, in force at the time of the passage of this act, shall continue to be in force in and for the district of said city north of the Allegheny river, so far as the same may be applicable, until altered, repealed or superseded by ordinance

Fiscal year, Ordinances in force at passage of act.

of the city council; and all ordinances of the borough of Venango City, in force as aforesaid, shall continue to be in force in and for the district of said city south of the said river, so far as applicable, until altered, repealed or superseded as aforesaid.

Divided into two election districts.
First district.
Second district.

Separate ballot box to be provided for each ward.

Election officers to be chosen at city elections.

Returns of elections for city officers.

Council may fix places for holding elections.

Poor and school districts.

Aldermen.

SECTION 36. Said city shall be divided into two election districts for general and city purposes; all of said city lying north of said river shall constitute the first election district, and all of said city south of said river shall constitute the second election district; when the city elections are held, as aforesaid, there shall be a separate box provided for each ward within each election district, each of which shall have written or printed thereon the number of its ward; and the electors of each ward shall deposit in the box marked within the number of their ward their ballots for councilmen; that the election officers of each election district shall be chosen at said city elections to succeed the present incumbents when their terms of office shall expire; and whenever, by virtue of this act, any officer or officers shall be required to be elected by the qualified voters of all the wards or districts of said city, the judges of each of said election districts shall be return judges to meet the return judges of the other election districts of said city, and jointly shall give certificates of election to the person or persons receiving the highest number of votes.

SECTION 37. After the said election, to be held as aforesaid, on the first Tuesday of April, the city council shall have power to fix the places of holding the city and general elections of each election district.

SECTION 38. That the poor districts and school districts shall remain as now provided for by law: *Provided*, That at the city election immediately preceding the expiration of the term of office of any school director or overseer of the poor, the qualified voters of each district shall elect his successor: *And provided*, That the territory added to said city, and not heretofore included in said boroughs, shall be added to the school district and poor district to which said territory is adjacent.

SECTION 39. The justices of the peace at present commissioned in and for the boroughs of Oil City and Venango City, shall be aldermen of said city, and, as such aldermen, shall severally and respectively have all the jurisdiction, powers and authority and perform all the duties of justices of the peace under the laws of this commonwealth, until the expiration of their terms of office; and at the city election immediately preceding the expiration of the terms of office of any of said aldermen respectively, the qualified voters of said city shall elect others to supply the vacancy; and the alderman so elected shall hold office for the period now provided by law for justices of the peace, so that at all times the said city shall have four aldermen in commission, exercising the full jurisdiction, powers and authority, and perform all the duties of justices of the peace of this commonwealth: *Provided*, That the inhabitants of each election district shall

elect two of said aldermen, who shall reside within their respective districts.

SECTION 40. At the city election, to be held as aforesaid, on the first Tuesday of April, and annually thereafter, the qualified voters of said city shall elect two constables in each election district, to succeed the present incumbents when their terms of office expire: *Provided*, That the qualified voters of each election district shall elect the constables of such district, and such constables shall reside therein.

SECTION 41. That the powers granted to the burgess and town council of the borough of Oil City, by section third of an act, entitled "An Act granting certain powers to the burgess and town council of the borough of Oil City, Venango county, and modifying certain former acts relative to their powers," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-eight, shall belong and are hereby vested in the members of the said city council chosen on the north side of the Allegheny river; that said act, approved as aforesaid, twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-eight, except said section third, as above modified, and all other acts to which said act, approved as aforesaid, refers, are hereby repealed; the members of council, elected as aforesaid, from the north side of said river, shall have power, annually, to assess, levy and collect, and are hereby required, annually, to assess, levy and collect, not to exceed two per cent. on the dollar on the assessed valuation of all property lying and being in said city, north of said river, to be levied and collected as taxes are now by law levied and collected, until the present debt of the borough of Oil City shall be fully paid; and said tax shall be applied to that purpose and none other; and for this purpose to appoint a separate collector, who shall hold his appointment one year, and give bonds, with sufficient security, in a sum to be fixed by said six councilmen, who shall also approve said sureties; said tax collector shall collect said tax, and from all sums received by him he shall be entitled five per cent. for collection, as compensation for his services, and pay over the balance to the treasurer appointed by said six councilmen, as hereinafter provided; and said six councilmen shall have power and are hereby required to appoint a separate treasurer to receive said tax, who shall give bonds in such sum, and with such sureties, as said six councilmen shall prescribe and approve, for the faithful performance of his duties, and who shall pay over the money received by him from said tax collector only upon orders or by virtue of resolutions from said six councilmen; said councilmen shall keep a record of their proceedings, which said record shall be proved and be evidence in the same manner as the records of boroughs under the general borough law; and for the above purpose they shall meet at least once every two months, within the present limits of the said borough of Oil City, at a place to be fixed by them, for the period of their term of office; said six councilmen shall have power also to appoint an attorney, and fix his salary, to manage all the suits of the borough of Oil City now pending in any court or elsewhere, or

Constables.

Certain powers vested in council chosen from north side of river.

Repeal.

Councilmen from north of river to levy tax to pay debt of Oil City borough.

To appoint collector.

To appoint treasurer to receive said tax.

To keep record of their proceedings.

To meet once every two months.

May appoint attorney to conduct suits, &c.

hereafter to be brought, either by or against said borough, and generally to attend to all matters requiring his services, which said six councilmen may prescribe.

SECTION 42. That no portion of the said city lying south of said river shall be liable for the payment of the debts of what is now known as the borough of Oil City; contracted before this act of incorporation goes into effect, and no portion of said city lying north of said river shall be liable for the payment of the debts of what is now known as the borough of Venango City, contracted before the above period.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 149.

An Act

To authorize the town council of the borough of Mahanoy City, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Mahanoy City, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow, on the credit of said borough, any sum or sums of money, not exceeding thirty thousand dollars, at a rate of interest not exceeding seven per cent. per annum, payable semi-annually, on the first days of April and October, and to issue coupon bonds or certificates of indebtedness therefor, under the corporate seal of the said borough, attested by the president and secretary of said council for the time being, in sums of not less than fifty dollars each, payable at the expiration of ten years from the date of issue, or any shorter period, at the discretion of said town council; and the said town council shall have authority, from time to time, to raise by taxation, in the manner pointed out by existing laws for that purpose, in addition to the taxes already authorized by law to be levied and collected, such sum or sums of money as may be necessary to pay off the principal and interest of said bonds or certificates of indebtedness: *Provided*, Such tax does not exceed ten mills in any one

Liability for debts contracted before act takes effect, relative to.

Authorized to borrow money and issue bonds.

May levy additional tax.

year: *Provided further*, That such money, when borrowed, shall be applied to the payment of the outstanding indebtedness of the said borough, and for the making, grading and opening of the streets, lanes and alleys within the limits of said borough.

How borrowed money to be applied.

SECTION 2. That the town council aforesaid are further authorized and empowered, if they shall deem it expedient so to do, in any year, in lieu of the tax provided by the preceding section of this act, to appropriate so much of the tax already authorized by law as shall be deemed necessary for the purpose designated by section first of this act.

May appropriate taxes already authorized for opening streets, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 150.

An Act

To prohibit the catching of fish in Panther lake and John's Hunting pond, on the land of Mary A. Shute, situate partly in Wayne county and partly in Pike county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act it shall not be lawful for any person to catch fish from Panther lake and John's Hunting pond, on the lands of Mary A. Shute, situate partly in Wayne county and partly in the county of Pike; and any person who shall enter upon said ponds or lakes, for the purpose of fishing, or shall take or catch any fish thereout, shall be guilty of a trespass, and shall be liable to a penalty of ten dollars for the first offence, and twenty dollars for the second and every subsequent offence: *Provided*, That this act shall not prevent the owner of such ponds, or any one by his or her authority, from catching or taking fish therefrom.

Catching fish prohibited.

Penalty.

SECTION 2. The penalties imposed by this act may be recovered, with costs of suit, by any person, in his own name, before any justice of the peace in and for the county of Wayne or Pike; and the justice, who shall collect such penalty, shall pay over the same, one-half to the overseers of the poor, for the use of the poor of the township in which may be situate that part of the pond in which such fish were caught or

How penalties may be recovered.

How to be appropriated.

On non-payment of penalties, defendants may be committed to jail.

taken, and the other half to the plaintiff in the suit; and on the non-payment of such penalty, the said defendant shall be committed to the common jail of the county, for a period not less than ten days, and at the rate of one day for every dollar of the judgment, where the same shall be above ten dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 151.

An Act

Releasing Adam Pfeifer, of Butler county, Pennsylvania, administrator of Eve C. Graber, late of Beaver county, deceased, from payment of certain moneys to the commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Adam Pfeifer, of Butler county, Pennsylvania, administrator of the estate of Eve C. Graber, late of Beaver county, Pennsylvania, deceased, is hereby released from payment to the commonwealth of the balance in his hands, on settlement of his account, said balance having been found to escheat thereto by Joseph Ledlie, Esq, of Beaver county, aforesaid, deputy escheator; *Provided,* That said Adam Pfeifer shall pay to the informer the one-fourth part of said balance, and shall pay the fee of deputy escheator, and all expenses of sheriff, jury and witnesses.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 152.

An Act

To repeal an act relative to the taking of game, approved the ninth day of April, one thousand eight hundred and seventy, so far as the same relates to the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of an act approved the ninth day of April, one thousand eight hundred and seventy, relative to the taking of game, be and the same is hereby repealed, so far as the same relates to the county of Fayette.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 153.

An Act

Regulating the rate per cent. of borough tax in the borough of Franklin, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Franklin, in the county of Cambria, are hereby authorized and empowered to, annually, levy and collect, for borough purposes, a tax not exceeding fifteen mills on the dollar on the assessed value of all property in said borough made taxable by the laws of this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 154.

An Act

Regulating the rate per centum of borough tax in the borough of East Conemaugh, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of East Conemaugh, in the county of Cambria, are hereby authorized and empowered to levy and collect, for borough purposes, a tax not exceeding ten mills on the dollar on the assessed valuation of the property, trades and professions, in said borough, made taxable by the laws of this commonwealth.

SECTION 2. That all acts, or part of acts, inconsistent herewith, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 155.

A Supplement

To an act, entitled "An Act relative to roads in Darlington township, in the county of Beaver," approved March the third, Anno Domini one thousand eight hundred and seventy, and the supplement, approved March the third, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where the words, "two days' labor, and the sum of three dollars," occurs in section nine (9) of an act relative to roads in Darlington township, in the county of Beaver, approved March the third, Anno Domini one thousand eight hundred and seventy, and the supplement, approved March the third, Anno Domini one thousand eight hundred and seventy, the same

Sections nine and twelve of former act amended.

be and is hereby stricken out, and the section made to read one day's work, and the sum of one dollar and fifty cents; and that in section twelve, (12,) where the words, "one dollar and fifty cents" occurs, that the same be and is hereby stricken out, and the section made to read two dollars.

SECTION 2. That hereafter persons to be eligible to hold the office of road supervisor in the townships of Darlington and Big Beaver, in the county of Beaver, shall be citizens and freeholders in the townships where they are elected; and supervisors hereafter elected shall each give severally bonds in the sum of five hundred (\$500) dollars, with approved security, to the township, for the faithful performance of the duties of their office; said bonds to be taken and held by the clerk of the respective townships.

Eligibility to office of supervisor.

Supervisors to give bonds in sum of \$500.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 156.

An Act

Regulating the collection of dog tax in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That from and after the first day of January, one thousand eight hundred and seventy-two, the duties required to be performed by the county commissioners of Luzerne county, in relation to tax on dogs in said county, shall be performed by the school directors of the several cities, townships and boroughs of said county; and the duties required to be performed by the treasurer of the county of Luzerne shall be performed by the several school boards of said county, in reference to the levying, collecting and paying out the funds arising from the tax on dogs; and each of the said cities, townships and boroughs shall form separate districts for said tax, and for the payment of damages done to sheep by dogs within the bounds of the same.

After certain date, school directors to levy, collect and disburse dog tax.

Each city, &c., a separate district.

SECTION 2. That at the end of every three years the school directors of the said cities, townships and boroughs shall add to the school fund of the respective cities, townships and boroughs, any balance which may arise from the tax on dogs,

Balances remaining after payment of damages, to be added to school fund.

after paying damage done to sheep by dogs within the said period.

How balance in
treasury on 1st
January, 1872,
to be divided.

SECTION 3. That any balance remaining in the treasury of the county on the first day of January, one thousand eight hundred and seventy-two, shall be divided among the cities, townships and boroughs of said county, in proportion to the number of dogs assessed in each of the same respectively, for the year one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 157.

An Act

To incorporate the Mill Grove and West Newton Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That C. P. Markle, Israel Painter, James P. Carothers, William Bell, C. C. Markle, John Milligan, Jr., A. Greenawalt, A. C. Hamilton, G. G. Riche, Robert Taylor, P. S. Pool, M. M. Dick, John Benford, John Norcross, Jacob Highbarger, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Mill Grove and West Newton Turnpike Road Company, with power to construct a turnpike road from a point on the Mount Pleasant and Robbstown turnpike, near West Newton, to the north-west side of Big Sewickly creek, opposite the mills of C. P. Markle, subject to all the powers and restrictions and with all the powers and privileges contained in the act regulating turnpike and plank road companies, and several supplements thereto: *Provided*, That said road shall not be confined to any particular grade, and need not be laid over thirty-five feet wide, fourteen feet of which shall be a good and substantial turnpike, composed of stone, wood, gravel or other proper material, such as the nature of the ground may require.

Title.

Construction of
turnpike au-
thorized.

Subject to.

Grade and
width.

SECTION 2. That the capital stock of said company shall consist of two hundred and forty shares, of twenty-five dollars each: *Provided*, That said company may have the privilege, from time to time, by a majority of the stockholders voting at a public meeting called for that purpose, to increase the capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act; and it shall be lawful for the said company to make use of any public road, or any part thereof, and locate their road upon the ground occupied by the same.

Capital stock.

May use public roads.

SECTION 3. That whenever said company shall have finished one mile of said road, they shall have power to erect gates and collect tolls, not exceeding quadruple the rates established by the act heretofore mentioned, and the several supplements thereto; and any person using or traveling on said road for any distance exceeding one-fourth of a mile, except persons going from one part of their farm to another, shall be liable to pay toll for the same, notwithstanding they do not pass through a gate; and if upon demand, to be made within ten days, they shall refuse to pay the same, it may be recovered in an action of debt, before a justice of the peace, as debts of like amounts are now by law recoverable, in the name of said company.

When gates may be erected and tolls collected.

What persons liable to pay tolls.

Refusal to pay tolls.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 158.

An Act

Supplementary to an act, entitled "An Act to incorporate a company to erect a bridge over the Ohio river, from West Pittsburg and Temperanceville, at or near the mouth of Saw Mill run, Allegheny county, to the city of Allegheny," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-eight, and to revive and re-enact the same, and to revive and extend the time for commencing and completing said bridge.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to incorporate a company to erect a bridge over the Ohio river, from West Pittsburg and

Temperanceville, at or near the mouth of Saw Mill run, Allegheny county, to the city of Allegheny," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby re-enacted; and the first clause in the proviso in the fourth section thereof contained, in reference to the time of proceeding to carry on said work and completing the same, be and the same is hereby amended to read as follows, namely: *Provided*, That if the said company shall not commence the erection of said bridge on or before the first day of April, Anno Domini one thousand eight hundred and seventy-three, and shall not complete the same on or before the first day of April, Anno Domini one thousand eight hundred and seventy-six, the rights and privileges hereby granted to the said company shall thereupon revert to the commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 159.

A Supplement

To an act to regulate medical practice in the counties of York, Indiana, Perry, Juniata, Adams, Bucks, Northampton, Lehigh and Elk, extending the same to the county of Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An act to regulate medical practice in the counties of York, Indiana, Perry, Juniata, Adams, Bucks, Northampton, Lehigh and Elk," approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the county of Cumberland.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 160.

An Act

Exempting the property of the Howard Institution, number one thousand six hundred and twelve, Poplar street, Philadelphia, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property of the Howard Institution of Philadelphia, situated at number one thousand six hundred and twelve, Poplar street, in the city of Philadelphia, be and the same is hereby exempted from the payment of all taxes except state tax, and shall be so exempted as long as the said property shall be used for charitable purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 161.

An Act

Authorizing the Knickerbocker Anthracite Coal Company to reduce the amount of its capital stock.

WHEREAS, The Knickerbocker Anthracite Coal Company, incorporated under the general provisions of an act of the general assembly of the commonwealth of Pennsylvania, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, entitled "An Act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth to manage and develop the same," is desirous of reducing the capital stock of said company, to make its value conform more nearly to and represent the actual value of the property owned by it; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Kniekerbocker Anthracite Coal Company be and is hereby authorized to reduce its capital stock to the sum of two hundred thousand dollars, the assent of two-thirds of the holders of stock in interest being had thereto; and the said company be and is hereby authorized and required to pay into the treasury of the commonwealth, as a bonus or organization tax, a sum to be computed upon the reduced capital herein authorized, all acts or parts of acts to the contrary notwithstanding.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred seventy-one.

JNO. W. GEARY.

No. 162.

An Act

To legalize the acts of the burgess and town council of the borough of Athens, in the county of Bradford, in the construction of embankments for the protection of said borough, and the issue of bonds in payment of the same.

Preamble.

WHEREAS, It became necessary for the burgess and council of the borough of Athens, in the county of Bradford, in the state of Pennsylvania, to construct embankments along the banks of the Chemung and Susquehanna rivers, to prevent the water from overflowing the banks in the upper part of said borough, and destroying the roads and side-walks and injuring the property of the inhabitants:

And whereas, The burgess and council of said borough, by the request of the taxable inhabitants of said borough, by a vote expressed for that purpose, have constructed said embankments for the purpose of protecting property in said borough from destructive floods, and have issued borough scrip or bonds of said borough, for the purpose of paying for the construction of said embankments:

And whereas, Also some of the taxable inhabitants of said borough doubt the authority of the burgess and council of said borough to issue the borough scrip or bonds, or to levy a tax for the payment of the same, and refuse to pay till the same shall be legalized by the legislature; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all the acts of the burgess and council of the borough of Athens, in constructing the embankments along the Chemung and Susquehanna rivers, for the protection of said borough from floods, and in issuing borough scrip or bonds to pay for the construction of the same, as set forth in the foregoing preamble, and all proceedings relative thereto, be and the same are hereby made valid; and the said burgess and council of the borough of Athens are hereby authorized to levy a tax, or taxes, for the purpose of paying the borough scrip or bonds issued by said borough to pay for the construction of said embankments, in such sums and at such times as they shall think advisable: *Provided*, That in no one year shall a tax of over one per centum be levied and collected in addition to the ordinary taxes of said borough.

Acts of burgess and council legalized.

May levy taxes to pay scrip or bonds issued.

Proviso.

SECTION 2. That any person who shall wilfully and maliciously destroy or injure said embankments, or either of them, shall be guilty of a misdemeanor, and on conviction therefor shall be subject to a fine not exceeding five hundred dollars, in the discretion of the court.

Penalty for injuring embankments.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 163.

An Act

To incorporate the Miners' and Shippers' Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles F. Shoener, John Donaldson, Samuel M. Heaton, Henry Walter, William F. Donaldson, W. W. Steel, together with such other persons as shall become stockholders in the said bank, shall be and are hereby created a corporation and body politic, by the name and style of the Miners' and Shippers' Bank, and shall so continue until the first January, Anno Domini one thousand eight hundred and ninety-one, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended; and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain, to them and their successors, such such real estate as may be necessary for the transaction of their

Corporators.

Name.

Limitation.

Powers, privileges, &c.

business, together with such as may be held by said bank as security for debts, or in satisfaction thereof, and the same to grant, mortgage or demise; also to make, have and use a common seal, and the same to alter and renew at pleasure, and to establish and put into execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of the state, or of the United States.

Banking privileges.

SECTION 2. That it shall be lawful for the said bank to receive deposits of money, from individuals and corporations, and to allow interest for money so received, as may be agreed upon between said bank and said depositors, to loan out the same, together with any other moneys they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange, and to issue certificates for said deposits.

May act as treasurer of charitable institutions, &c.

SECTION 3. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agents of charitable and religious institutions and corporations, and as financial agent of state and city governments and of counties, in the management of their business, and shall give security to such institutions and governments for the faithful performance of the duties required.

May borrow money.

SECTION 4. It shall be lawful for said bank to borrow money, but not in excess of its capital stock subscribed, and to secure the same by mortgage on its real and personal property, or pledge of stocks or bonds, or otherwise, and on such time as a majority of the directors may deem expedient.

Capital stock.

SECTION 5. That the capital stock of said bank shall be one hundred thousand dollars, with the privilege of increasing it to three hundred thousand dollars, to be divided into two thousand shares, of fifty dollars each, which shall be paid in such instalments as the bank shall by its by-laws direct.

How affairs to be conducted.

SECTION 6. That the affairs of said bank shall be conducted by a president and nine directors, to be chosen as hereinafter directed: *And provided*, That the said president and directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bonds, with good sureties, in such sums as may be required by said board for the performance of their several duties.

Cashier and other officers.

Office.

SECTION 7. That the said bank shall keep its office in some suitable place in the city of Philadelphia, and on the first Monday of May, after the acceptance of this charter, and on the first Monday in December, annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the bank, and by ballot elect one person for president and nine persons as directors, who shall continue in office one year; that in the election for president and directors, the said stockholders shall be governed by the general laws of the Commonwealth regulating the manner of conducting elections in banks and saving institutions, and the number of votes to which the several stockholders shall be entitled, so far the same may be applicable: *Provided however*, That no person shall be elected president or director in said bank,

Election of president and directors.

who is not a stockholder therein ; and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as said bank may by by-laws direct. Vacancies.

SECTION 8. That letters patent shall be issued to the corporation, by the governor, but before they shall issue, a majority of the corporators shall make affidavit that fifty per cent. of the capital stock shall have been paid in. Letters patent.

SECTION 9. That the said bank, not being a bank of issue, shall not be subject to the restrictions provided in section seventeenth of an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks," approved April twenty-second, Anno Domini one thousand eight hundred and fifty-four. Not subject to certain restrictions.

SECTION 10. That the legislature hereby reserves the right to alter, revoke or annul the said bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators. Reservation.

SECTION 11. That the stockholders shall be individually liable for double the amount of the stock held by them. Individual liability.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 164.

An Act

Declaring Harvey's creek and Harvey's lake, in the county of Luzerne, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Harvey's creek from its mouth to and including Harvey's lake, in the county of Luzerne, be and the same is hereby declared a public highway.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 165.

An Act

To authorize the supervisors of Washington township, Wyoming county, to settle with James Bunnell, for moneys advanced by him for bounty purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of Washington township, Wyoming county, are hereby authorized to settle with James Bunnell, and pay over to him, from the funds of said township, any sum that may be found due him for money advanced said township to procure volunteers to relieve them from the draft.

Supervisors authorized to settle with James Bunnell.

In case of refusal to settle suit may be brought.

SECTION 2. Should the supervisors aforesaid refuse to make settlement, as aforesaid, then said James Bunnell is hereby authorized to bring suit against the said township to recover therefrom any balance that may be due him by reason of said advancement; and that the statute of limitation shall be no bar to a recovery in this case.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 166.

An Act

Legalizing the action of the supervisors of Buffalo township, Washington county, in dividing and selling the roads of said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the action of the supervisors of Buffalo township, Washington county, in sectionalizing, advertising and selling the roads of said township, under the provisions of an act, entitled "An Act extending to said township of Buffalo the provisions of an act for making and keeping in repair the roads of Uwchlan

township, Chester county, and East Pike Run and East Bethlehem townships, Washington county," approved March fourteenth, Anno Domini one thousand eight hundred and sixty-four, during the months of November and December, Anno Domini one thousand eight hundred and seventy, are hereby declared legal and binding as if they had been sectionalized and sold at the time fixed in said act.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 167.

A Supplement

To an act, entitled "An Act to empower the sheriff and prothonotary of Schuylkill county to sue for their fees," approved March twentieth, one thousand eight hundred and sixty-nine, extending the provisions of the same to the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act approved March twentieth, one thousand eight hundred and sixty-nine, entitled "An Act to empower the sheriff and prothonotary of Schuylkill county to sue for their fees," be and the same are extended to the county of Lycoming.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 168.

An Act

To repeal so much of the act of thirty-first March, Anno Domini one thousand eight hundred and fifty-three, to incorporate the Greene County Agricultural and Manufacturing Society, as authorizes the commissioners of said county to pay said society a bounty of fifty dollars annually.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the fourth section of the act of thirty-first day of March, Anno Domini one thousand eight hundred and fifty-three, to incorporate the Greene County Agricultural and Manufacturing Society, and authorizing the sheriff of Washington county to employ a jail keeper, as directs or authorizes the commissioners of Greene county to pay said society or its treasurer an annual bounty of fifty dollars, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 169.

An Act

To exempt certain real estate of the Silver Spring Lodge, number five hundred and ninety-eight, of Independent Order of Odd Fellows of the state of Pennsylvania, situated in New Kingston, Cumberland county, from taxation, except for state purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the real estate of the Silver Spring Lodge, number five hundred and ninety-eight, of the Independent Order of Odd Fellows of the state of Pennsylvania, situated in New Kings

ton, Cumberland county, be and the same is hereby exempt from payment of all taxes, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 170.

An Act

Relative to the fees of the district attorney in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the fees now received by law, the district attorney in and for the county of Northampton shall receive for drawing indictment and prosecuting every offence indictable only in the oyer and terminer, fifteen dollars. Fees regulated

A bill for an offence indictable only in the oyer and terminer, and returned ignoramus, twelve dollars.

Drawing indictment and prosecuting every offence indictable only in the quarter sessions, seven dollars.

A bill for an offence indictable only in the quarter sessions, and returned ignoramus, seven dollars.

Case settled with leave of court, seven dollars.

Every surety of the peace, seven dollars.

SECTION 2. This act shall take effect from the first day of January, Anno Domini one thousand eight hundred and seventy-one. When act to take effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 171.

An Act

To repeal an act, approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, relating to the public roads in the township of Butler, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, relating to the selling of the repairing of the public roads in the township of Butler, in the county of Schuylkill, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 172.

An Act

Authorizing the school directors of the borough of Lebanon, Lebanon county, to borrow money for the erection of a building for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Lebanon, Lebanon county, be and are hereby authorized to borrow, upon the credit of said borough of Lebanon, the sum of twenty thousand dollars, for the purpose of building public school houses.

Authorized to
borrow money.

Authorized to
issue bonds.

SECTION 2. That said school directors be and are hereby authorized to make and issue bonds, with or without coupons attached, for the payment of the principal and interest, not exceeding twenty thousand, and at a rate of interest not exceeding seven per centum per annum, payable semi-annually,

redeemable at any time within ten years from the date of the same; said bonds to be exempt from all taxation, under the laws of this commonwealth, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 173.

An Act

In reference to certain land in the borough of Bristol.

WHEREAS, The legislature of the commonwealth of Pennsylvania, by an act of the general assembly, approved the fourth day of March, Anno Domini eighteen hundred and sixty-three, entitled "An Act supplementary to an act extending the powers of the corporation of Bristol borough," enacted in the seventh section of the same, as follows: "That so much of the original charter of the borough of Bristol, in the county of Bucks, granted the fourteenth day of November, Anno Domini seventeen hundred and twenty, which ordains that there shall be another street in said borough, containing in breadth thirty-three feet, called Water street, which shall begin at Mill street aforesaid, on Delaware, sixty feet from Radcliff street, and run east twenty-seven degrees north under the bank along the river side to the extent of said borough, on Delaware aforesaid, be and the same is hereby repealed, so far as is required east of Market street, from the end of Water street, as now laid out:"

Preamble.

And whereas, Doubts have arisen as to whether the title of the present owners and holders of the land over which the said Water street was laid out, as well as the title to the land lying between said Water street and the river Delaware, at low water mark, is good against the commonwealth:

And whereas, The owners of the said land are jointly and equitably entitled to all the same, having never received any compensation therefor from the public; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all right, title and interest which the commonwealth of Pennsylvania has, may or is supposed to have in and to the

Title of state to land over which street is laid out, vested in present land holders.

land over and through which the said Water street was laid out under the original charter of the borough of Bristol, in said county of Bucks, is hereby released to the present land holders and owners respectively, their heirs and assigns forever; and all right, title and interest of the commonwealth of Pennsylvania in and to the said land, be and the same is hereby vested in and confirmed to the present land owners and holders respectively, their heirs and assigns forever.

Title to land between street and low water mark, vested in present land holders.

SECTION 2. That all, every and any right, title and interest which the commonwealth of Pennsylvania has or may be supposed to have in and to all and any land situate, lying and being between the said Water street, in the borough and county aforesaid, and low water mark in the river Delaware, and extending from Mill street to the borough line, be and the same is hereby vested in and confirmed to the present land owners and holders respectively, their heirs and assigns forever.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 174.

A Further Supplement

To an act incorporating the Easton Gas Company, approved March fourteenth, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the Easton Gas Company, acting as such for the time being, are hereby empowered, by vote, to fill any vacancy now existing in the board, or that may hereafter occur by death, resignation or otherwise, the person so chosen director to hold office until the next following annual election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 175.

A Further Supplement

To the Lehigh Water Company, in the borough of Easton, Northampton county, for increase of capital stock and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lehigh Water Company, in the borough of Easton, Northampton county, be and the same are hereby authorized and empowered to increase the capital stock of said company to a sum not exceeding five hundred thousand dollars.

Authorized to
increase capital
stock.

SECTION 2. That the said Lehigh Water Company be and they are hereby authorized and empowered to borrow, on the credit of the said company, any sum of money, not exceeding fifty thousand dollars, at a rate not exceeding seven per centum per annum, and to issue bonds therefor in any sums not less than one hundred dollars: *Provided,* That said company shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on all such increase of capital stock under the provisions of this act.

Authorized to
borrow money
and issue bonds.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 176.

An Act

To legalize the incorporation of the West Greenville Academy, in Mercer county, and the election of officers for said corporation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the decree of the court of common pleas of Mercer county, made the first day of July, Anno Domini one thousand eight hundred and forty-eight, incorporating the West Greenville Academy, be and the same is hereby rendered good and valid in law to incorporate said institution, not-

withstanding the proceedings of said court, together with the charter, were not recorded in the recorder's office in said county; and the election of officers, held the twelfth day of October, Anno Domini one thousand eight hundred and seventy, is hereby declared to be legal and valid.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 177.

An Act

To incorporate the Chester and Philadelphia Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edmund Pennell, Sr., Jonathan Pennell, Charles D. Pennell, Edmund Pennell, Jr., John W. Gamble and James Stephens, and such other persons as may become associated with them, be and they are hereby created a body politic in law, by the name, style and title of the Chester and Philadelphia Steamboat Company, for the purposes of the transportation of passengers and freight on the Delaware river and tributaries, subject to the regulations of the United States custom house; and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of holding, granting and receiving, in its corporate name, property, real, personal and mixed: *Provided,* That the clearly yearly rental of such real estate owned by said company shall not exceed three thousand dollars.

SECTION 2. The capital stock of the said company shall be twenty-five thousand dollars, divided into shares of one hundred dollars each, with power to increase the same, from time to time, by a vote of the stockholders, to an amount not exceeding fifty thousand dollars.

SECTION 3. The said company shall have power to make such by-laws as they may deem proper to enable them to carry out the objects of the corporation, and the same to alter, amend, add to or repeal at their pleasure: *Provided,* That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act; and the

Corporators.

Title.

Powers and privileges.

Capital stock.

By-laws.

company shall have power, at any time, to borrow money on such terms and at such rates of interest, not exceeding eight per centum per annum, as the board of directors may determine, to an amount not exceeding the capital stock subscribed at the time of such borrowing, and to issue such form of securities for said loan, or loans, as the board may determine, and to mortgage all the property and franchises of said company as security therefor.

May borrow money and issue securities therefor.

SECTION 4. The corporators named in this act, or a majority of them, shall meet at such time and place as shall be designated, by public advertisement, in the Delaware County Republican, for two successive weeks prior to said meeting, and shall elect, by ballot, five directors to serve for the ensuing year; and the said directors, a majority of whom shall constitute a quorum for the transaction of business, shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Election of directors.

SECTION 5. The company shall pay into the treasury of the commonwealth such bonus and taxes as are now or hereafter may be provided by law.

Bonus and taxes

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 178.

An Act

To authorize the school directors of the borough of Mount Union, Huntingdon county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Mount Union, in the county of Huntingdon, be and they are hereby authorized to borrow money, not exceeding three thousand dollars, to pay for the erection of a school house, or houses, in said borough, and to issue bonds therefor, signed by the president and treasurer and attested by the secretary of the board, in sums not less than one hundred dollars each, payable not more than ten years after date, and bearing interest, payable annually, at a rate not exceeding eight per centum per annum; and further, that said school directors be and

they are hereby authorized to levy and collect such additional tax as may be necessary for the payment of the sum so borrowed, and interest thereon, according to the terms of the bonds; and that said bonds shall be a lien upon all the school property of said borough until fully paid.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 179.

An Act

Making it lawful for Peter Thorn, and his successor, as keeper of Evergreen cemetery, at Gettysburg, to send to and have educated his children in the common school of the borough of Gettysburg, Adams county.

WHEREAS, Peter Thorn, keeper of the Evergreen cemetery, at Gettysburg, is now at great inconvenience in sending his children to the common school in Cumberland township, Adams county:

And whereas, Said land of Evergreen cemetery is exempt from taxation for school purposes; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it may and shall be lawful for Peter Thorn, keeper of Evergreen cemetery, at Gettysburg, in the county of Adams, and his successor, as keeper of said cemetery, while residing within its enclosure, to send his children to and have them educated in the common schools of the borough of Gettysburg: *Provided*, That all taxes levied upon said Peter Thorn, and his successor, as keeper aforesaid, for school purposes, shall be paid into the treasury of the school board of the common schools of the borough of Gettysburg.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 180.

A Further Supplement

To an act, entitled "An Act to erect the town of Lebanon, in the county of Lebanon, into a borough," approved February twentieth, Anno Domini eighteen hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the plan or draft of the borough of Lebanon, authorized and required to be made by the engineers appointed for that purpose, under the authority of an ordinance enacted by the burgesses and council of said borough, on the twelfth day of December, Anno Domini one thousand eight hundred and seventy, be and the same is hereby ratified and confirmed and made valid in every particular, for all legal intents and purposes whatsoever; and as soon as completed, copies of the same shall be placed on record in the office of the prothonotary of Lebanon county, in the office of recorder of deeds in and for said county, and also a copy among the records of the council of said borough, together with the accompanying explanatory report, the profiles and grades, the names of streets and alleys, as shown on said plan, drafts, reports and profiles; and all lines of roads, streets, alleys, turnpikes, ways, bridges or other routes heretofore used for travel or traffic, shown in red lines on said plans, profiles or drafts, are intended to be and are hereby declared vacated, and the party lines between private owners shall be adjusted according to the laws now in force in this commonwealth applicable to cases of this character.

Draft authorized by ordinance of burgesses and council, confirmed.

Copies to be placed on record.

Streets, &c., shown in red lines, declared vacated.

SECTION 2. That upon a petition of a majority of owners of not less than two hundred feet of a front on a street proposed to be opened, the council of the borough of Lebanon is hereby authorized to provide for the opening of such street or alley, or any part thereof, laid out on the plan of the borough, and shall have power, by ordinance, to appoint three discreet and disinterested persons, freeholders of said borough, as viewers to view the premises proposed to be opened, taken, used and occupied for streets and alleys; and said viewers, before entering on their duties, shall be sworn before the burgess or any justice of the peace of said borough, to discharge faithfully, honestly and impartially the duties of their appointment; they shall give ten days' written or printed notice, by the hands of the chief of police, to each and every holder of property along the route of the proposed opening of such street or alley, of the time they will view the premises, and appoint, in said notice, a convenient place to hear objections or receive evidence from those interested; they may adjourn from day to day, but not oftener than three times under any appointment; they shall make a true and

Opening of streets and alleys, relative to.

conscionable appraisement, taking into consideration in said appraisement the probable advantages and benefits, as well as disadvantages, which may arise by reason of the improvement prayed for in such petition, and within two hundred feet in any direction of the same; they shall be furnished by the borough with a plot or draft of the proposed opening, indicating upon it the location, size, boundary and improvements of each property on the route; they shall prepare a statement showing the amount of benefit or damage in each case; they shall then give ten days' notice, in two newspapers of said borough, to the owners, legal representatives or attorneys of the properties interested, of a time and place when and where they may examine said plot and statement; and said appraisers shall there hear any complaint or evidence on the subject; they shall hear, consider and determine, at one meeting, all questions brought before them, and make such report as they may deem just immediately thereafter to said council, with the plot aforesaid; and if, after viewers report to council, three persons, owners of property, interested, shall present a petition to the court of quarter sessions of Lebanon county, at their first meeting after said report, setting forth the facts in the case, and that they believe injustice has been done them by said viewers, it shall be the duty of said council, upon notice of said petition having been presented to court, to certify to said court all the papers and proceedings in the case; and thereupon said court shall take such action in the premises as it may judge right; it shall hear evidence on said report, and, if deemed proper, shall appoint three new viewers, freeholders of said borough, with like power of those first appointed, who shall, within twenty days, fulfill their duties and report to the first regular or special term of said court for final adjudgment; and in case of an appeal to court, the party or parties petitioning for a review shall, in all cases, be liable for the costs attending such review; and the pay of viewers or reviewers under this act shall be two dollars a day for each day necessarily employed in the performance of their duties: *Provided*, That before such streets or alleys shall be opened and used and occupied, said council shall make compensation, or secure the same, to be paid to the owner or owners of property entitled thereto; and for the purpose of satisfying all damages and costs and expenses which may arise under this section, said council of the borough of Lebanon is hereby authorized and empowered, by ordinance defining its purposes, to levy, assess and collect a charge sufficient to liquidate the same, on the property, lots or lands abutting on said front, or within two hundred feet of the same, liable to assessment for this purpose, as indicated in said petition and accompanying ordinances; and any assessment remaining unpaid at the end of sixty days shall be collected, with a penalty of ten per centum for delay of such payments, and under the provisions of section second of the act of April eleven, one thousand eight hundred and fifty-nine, entitled "A further supplement to an act erecting the town of Lebanon into a borough."

SECTION 3. That the title of all land already taken, or to be

taken hereafter for any corporation purpose, except for streets or alleys, and paid for by the borough of Lebanon under existing laws, shall vest in fee simple in said borough, and upon its relinquishment for corporation purposes shall be disposed of at public vendue, under such terms as may be fixed by the council of said borough.

Land taken for corporation purposes, relative to.

SECTION 4. All laws or parts of laws, relative to the borough of Lebanon, in conflict with this, be and the same are hereby repealed.

Repeal.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 181.

A Supplement

To an act to incorporate the Williamsport Hall and Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of an act to incorporate the Williamsport Hall and Market Company, approved the twentieth day of April, A. D. eighteen hundred and sixty-six, as provides that the buildings of said company shall be located in the borough of Williamsport, in the county of Clinton, be and the same is hereby repealed; and that the said company shall have authority to organize and locate their buildings in the city of Williamsport, in the county of Lycoming, and that the organization heretofore made, be and the same is hereby legalized and made valid.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 182.

An Act

To prohibit fishing in Marcy's or Carey's pond, in Wyoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any person or persons to take, catch or kill any pickerel, perch or any kind of fish, in the pond known as Marcy's or Carey's pond, in Tunkhannock and Lemon townships, Wyoming county, between the first day of November and the first day of May in each year.

Catching fish during certain seasons, prohibited.

Penalty for violating act.

SECTION 2. That any person or persons violating any of the provisions of this act, shall forfeit and pay the sum of ten dollars, with costs of suit, for the first offence, and fifty dollars, with like costs, for each and every subsequent offence, to be recovered by suit, in the name of the commonwealth, before any justice of the peace in said county, one-half of said fine to go and belong to the prosecutor, and the other half to be for the use of the school fund of said townships; and the prosecutor thereof is hereby made a competent witness on the trial of said cause: *Provided*, That on failure of any defendant or defendants to pay any fine or fines, penalty or penalties, imposed by this act, such defendant or defendants shall undergo an imprisonment in the county jail of said county, at the discretion of the court inflicting such penalty, for a period not less than ten nor more than twenty days.

Proviso.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 183.

An Act

To authorize the school directors of the borough of Springville, in the county of Chester, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the school directors of the borough of Springville, in the county of Chester, are hereby authorized and empowered to borrow any sum or sums of money, not exceeding ten thousand dollars, and to issue bonds or certificates of indebtedness for the same, in sums of not less than one hundred (\$100) dollars each, bearing interest at the rate of six per centum per annum; said bonds or certificates to be executed by the president and countersigned by the secretary of the board, shall be free of taxation except for state purposes, under the laws of this commonwealth, and shall be made payable not more than twenty years from date, and after the expiration of five years from date shall be redeemable at any time within said period that said directors or their successors by resolution shall direct: *Provided*, That all loans so made shall be applied exclusively to the purchase of ground, and to the erection of suitable buildings thereon, for the use of the public schools of said borough of Springville.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 184.

An Act

To incorporate the Federal Market Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Evans, John K. Findlay, William Sweeney, William Moran, John Bardsley, William F. Carlin, Matthew Hall, John B. Parker, Lorin Blodget, Henry M. Watts, Griffith J. Griffiths, Samuel B. Griffiths, Charles R. Dougherty, Samuel S. Griffiths, Dr. John T. Williams, William G. M'Ewan, Dr. Charles W. Karsner, Hugh M'Connell, John C. Speidel, William E. May, Robert Armstrong, William Armstrong, Thomas Bell, James Davenport, James Armstrong, William Bradley, Joseph Caldwell, Charles W. Zimmerman and Joseph Kerbaugh, all of Philadelphia county, and their associates, and all persons who may now or hereafter be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Federal Market Company, to have style.

Corporators.

Powers and
privileges.

perpetual succession, to be capable in law of suing and being sued, to have a common seal and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take in fee simple, or upon ground rent, such real or also such personal estate as by them may be deemed necessary and proper for the ownership and for the construction and for the proper use and management and maintenance of a market house in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with full power to sell, mortgage and create the necessary ground rent deeds or convey the said real or personal estate: *Provided*, That the market house, the erection of which is authorized in this act, shall be completed within five years from the time of the approval thereof, otherwise this act shall be void and the privileges conferred therein forfeited.

When market
house to be com-
pleted.

Object and pur-
pose.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain a suitable building or buildings and stalls, with all the other things necessary for the use thereof, at any place in the south-western portion of the city of Philadelphia, the same to be appropriated and used as a public market house, for the sale and vending of meats and vegetables and all other kinds of victuals and provisions whatever; the said market building, the stalls, or any one or more or all of the same to be leased, rented or disposed of in such manner and upon such terms and conditions as the managers shall determine: *Provided*, That this act shall not be construed to prohibit persons renting stalls in said market, who may send or carry the produce of their farms to market, from selling or exposing for sale beef, mutton, veal, pork and poultry in such quantities as they may desire, which may have been slaughtered on their farms, or butter or cheese or other articles manufactured or produced thereon for market.

Proviso.

Capital stock.

SECTION 3. That the capital stock of said corporation shall not exceed one hundred thousand dollars, divided into two thousand shares of fifty dollars each, and shall be in such form and shall be issued and transferred in accordance with such by-laws as the said managers may establish.

Government
and control.

SECTION 4. That the government and control of the Federal Market Company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by a board of nine managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors be elected, and they shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number, however occasioned, and shall have general and entire control of the affairs and interests of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation and shall have power and authority as such.

Meetings of
stockholders.

SECTION 5. That a general meeting of the stockholders shall be held annually on the second Monday of January, for the election of nine managers and the transaction of other busi-

ness; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given in at least one daily newspaper in the city of Philadelphia; and special meetings of the corporation shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the corporation, the stockholders present, either in person or by proxy, shall severally be entitled to one vote for each share of stock held by them. Votes.

BUTLER B. STRANG,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 185.

An Act

Authorizing the school directors of Oakland sub-school district of the city of Pittsburg to sell certain real estate and to levy tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the Oakland sub-school district of the city of Pittsburg be and are hereby authorized and empowered to sell, at public or private sale, and execute a deed in fee simple to the purchaser, such real estate situated in said sub-district, with the appurtenances thereunto belonging, as may not be needed for school purposes. Authorized to sell real estate.

SECTION 2. That the school directors aforesaid are authorized and empowered to levy a tax, not exceeding ten mills on all property taxable for school purposes, to provide a fund for meeting the obligations of said board of school directors. Authorized to levy tax.

BUTLER B. STRANG,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 186.

An Act

To extend the act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, one thousand eight hundred and sixty-nine, to the county of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine, and the supplements thereto, be and the same is made applicable to the county of Wyoming.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 187.

An Act

Enabling the borough of M'Keesport, Allegheny county, to levy a tax, not exceeding one per centum, for borough purposes.

WHEREAS, The borough of M'Keesport, in Allegheny county, has recently erected gas lamps upon certain streets in said borough, and it is proposed hereafter, as the necessity for the same arises, to erect lamps upon other streets of said borough:

And whereas, The amount of tax now authorized by law to be collected annually for borough purposes is insufficient to meet the extra expense incurred by said borough in erecting said lamps and lighting the same regularly; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of said borough of M'Keesport be and the same are hereby authorized and

empowered to levy and collect annually, for borough purposes, such an amount of tax as, in their judgment, may be necessary for the same, not exceeding one per centum upon the valuation of all property, trades and occupations now taxable for borough purposes.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 188.

A Supplement

To the act incorporating the Harrisburg Cemetery Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at all elections for president and managers of the Harrisburg Cemetery Association the owners of lots shall be allowed to cast one vote for each lot owned by him or her.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 189.

An Act

To incorporate the Sharon Land Association, in the county of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That John L. Wilson, W. D. H. Serrill, M. M. Sheldrake, Richard Thatcher, Edmund W. Smith and William Ward, or a majority of them, and such other persons as shall be associated with them, their successors and assigns, be and the same are hereby erected into a body politic and corporate, in deed and in law, with all the powers and privileges incident to the same, by the title of the Sharon Land Association, with a capital of one hundred thousand dollars, with the power to increase the same to two hundred thousand dollars, to be divided into shares of one hundred dollars each.

Title. SECTION 2. That the said corporation shall have power to make and use a common seal, and be able in law to sue and be sued in the courts of this commonwealth, and may make all needful regulations and by-laws for the conducting of the affairs of the association: *Provided*, The same shall not conflict with the laws of this commonwealth.

Capital. SECTION 3. The affairs of this corporation shall be managed by a board of seven directors, one of whom shall be president, who shall be elected as the by-laws shall determine, and who shall appoint a secretary and treasurer, who shall hold office until their successors are elected.

Seal. SECTION 4. That the said corporation may purchase and hold real estate in Delaware county, to any amount not exceeding two hundred and fifty acres, and may improve the same by laying out streets and erecting buildings, with power to sell, lease, mortgage or otherwise dispose of the same, or any part thereof, as they may see fit, and to do such other acts as may promote the improvement of their property: *Provided*, Nothing herein contained shall be construed to authorize said corporation to exercise banking privileges.

Regulations and by-laws. BUTLER B. STRANG,
Speaker of the House of Representatives *pro tem*.

Management. WILLIAM A. WALLACE,
Speaker of the Senate.

Privileges. APPROVED—The fourth day of March, Anno Domini one thousand eight hundred seventy-one.

JNO. W. GEARY.

No. 190.

An Act

To authorize the school directors of Mount Morris independent school district, in Greene county, to borrow money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the school directors of Mount Morris independent school district of Greene county, be and they are hereby authorized to borrow money, not exceeding two thousand dollars, for building purposes. Authorized to borrow money.

SECTION 2. The school directors of the said district are authorized to issue bonds, payable at any time within five years, bearing not more than eight per centum interest, and the said bonds are hereby exempt from all taxation, except for state purposes. Authorized to issue bonds.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 191.

An Act

Authorizing the city of Altoona to organize a teachers' institute independently of the county of Blair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the teachers of common schools, and other institutions of learning of the city of Altoona, be and they are hereby authorized and empowered to organize themselves into a teachers' institute, separate from and independent of the teachers' institute for the county of Blair; said institute to be organized upon the call and invitation of the school superintendent of said city of Altoona, in the same manner, under the same proceedings, and with the same rights, powers and privileges as is provided by the second, third, fourth and fifth sections of an act approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-seven, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four," all the provisions of which said sections shall be in force with respect to the teachers' institute of Altoona; said institute to be presided over by the superintendent of common schools of said city, or by some one designated by him, with the consent of the board of directors, and subject in its general management to his control: *Provided,* That the teachers of the said city of Altoona

shall not be required to attend the institutes of the county, and that said institute shall not be entitled to receive any money from the county treasurer of said county, under the provisions of the second, third, fourth and fifth sections of the act of April, Anno Domini one thousand eight hundred and sixty-seven.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventh day of March, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 192.

A Supplement

To an act, entitled "A supplement to an act for the better management of the Allegheny county prison," approved the first day of February, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the board of commissioners of any organized county of the Western judicial district of the supreme court of Pennsylvania shall have full power and authority to enter into an agreement with the board of managers for the Allegheny county workhouse, or with any authorized agent or officer in behalf of said workhouse, to receive and keep in the Allegheny county workhouse any person or persons who may be sentenced to confinement by any court or magistrate in any of said counties, for any term not less than sixty days; whenever such an agreement shall have been made it shall be the duty of the board of commissioners for any county, in behalf of which such agreement shall have been made, to give public notice thereof in some newspaper published within said county, and in case no paper is published in said county, then such notice shall be published in some newspaper within the judicial district to which said county is attached, for a period not less than four weeks, and such notice shall state the period of time for which such agreement will remain in force.

SECTION 2. In every county having such agreement with said workhouse, it shall be the duty of every court, justice of the peace or other magistrate by whom any person, for any crime or misdemeanor not punishable by imprisonment in

Commissioners of certain counties may agree with managers of workhouse for keeping prisoners.

To give notice of agreements made.

Courts, justices, &c., to sentence certain prisoners to workhouse.

the state penitentiary may be sentenced, for any time not less than sixty days, to sentence such persons to the Allegheny county workhouse, there to be received, kept and employed in the manner prescribed by law and the rules and discipline of such workhouse; and it shall be the duty of any such court, justice of the peace or other magistrate, by a warrant of commitment duly issued by the court, justice or magistrate declaring such sentence, to cause such person so sentenced to be forthwith conveyed, by some proper officer, to said workhouse.

SECTION 3. It shall be the duty of the sheriff, constable or other officer in and for any county having such agreement with said board of managers, to whom any warrant or commitment for that may be directed by any court or magistrate in such county, to convey such person so sentenced to said Allegheny county workhouse and there deliver such person to the superintendent or other proper officers of said workhouse, whose duty it shall be to receive such person so sentenced and to safely keep and employ such person for the term mentioned in the warrant or commitment, according to the laws of said workhouse; and the officer thus conveying and so delivering the person or persons so sentenced shall be allowed such fee or compensation therefor as shall be prescribed or allowed by the board of commissioners for the county in which such person shall have been convicted.

Sheriffs, &c., to convey such prisoners to workhouse.

Compensation.

SECTION 4. That hereafter whenever any person shall in any court of Allegheny county be convicted of any crime or offence which would under the existing laws of the state subject him or her to confinement in the state penitentiary, for any term not more than two years, the judge of said court by or before whom such person shall be convicted, may at his discretion, sentence him or her to confinement in the Allegheny county workhouse instead of the state penitentiary, for such term as the said court shall deem just; and it shall be the duty of the superintendent of said workhouse to receive and safely keep such person or persons so convicted, sentenced and committed to said workhouse until the term of their sentence has expired or until they are otherwise duly discharged by law or competent authority.

Courts of Allegheny county may sentence certain prisoners to workhouse.

SECTION 5. Every person lawfully committed to said workhouse who shall escape from or break said workhouse with intent to escape therefrom, or who shall attempt, by any force or violence, or in any other manner, to escape from said workhouse, whether such escape be effected or not, shall, upon conviction thereof, be punished by confinement in said workhouse for a term not exceeding double the term for which he or she was so sentenced, to commence from and after the expiration of his or her former sentence.

Penalty for escaping or attempting to escape from workhouse.

SECTION 6. It shall be lawful for the superintendent of the Allegheny county workhouse to employ and permit the use of weapons, by the keepers or guards of the prisoners, to put down insurrections by force, and to prevent escapes at all hazards from said workhouse.

Superintendent may permit use of weapons by keepers or guards.

SECTION 7. It shall not be lawful for any court, justice of the peace or other magistrate in the county of Allegheny, or

Courts, justices, &c., prohibited from committing invalid, insane or idiotic persons.

any other county having an agreement with the board of managers for the confinement and maintenance of convicted persons in said workhouse, to commit, for imprisonment, any invalid, insane or idiotic person to said workhouse, nor shall it be the duty of the superintendent to receive and admit such persons when thus committed.

Superintendent to cause record of infractions of rules to be kept.

SECTION 8. The superintendent of said workhouse shall cause to be kept a record of each and all infractions of the rules and discipline of the said workhouse, with the name or names of the convict or convicts offending, and the date and character of each offence; and every convict sentenced for one or more years shall be entitled to a reduction of three days per month from his or her sentence, for each month they shall continue to obey all the rules of said workhouse; the superintendent may, however, at his discretion, annul all credits thus obtained, if, in his opinion, any prisoner or prisoners forfeited the benefit of this section by subsequent bad conduct.

Deductions for good conduct.

Superintendent may annul credits for bad conduct.

SECTION 9. All acts or part of acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

When act to take effect.

SECTION 10. This act shall take effect and be in force from and after its passage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 193.

An Act

To authorize the commissioners of Perry county to borrow money for the erection of a new poor house.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Perry be and they are hereby authorized and empowered to borrow, for the purpose of erecting a new poor house in said county, on the faith and credit of said county, any sum or sums of money, not exceeding in the whole the sum of twenty-five thousand dollars, and to issue bonds or certificates of indebtedness therefor, under the seal of said county, of not less amount than fifty dollars each, payable at the expiration of ten years or any shorter period, in the discretion of said commissioners, from

the date of issue, at a rate of interest, with or without coupons attached, not exceeding seven per centum per annum, which interest shall be payable annually to the holder or holders of such bonds; and that the bonds or certificates of indebtedness, so issued as aforesaid, shall be signed by a majority of said commissioners, attested by their clerk and verified by the seal of said county, and shall be exempt from taxation for all local and municipal purposes; and the coupons, if such be attached, shall bear the signature of the clerk of commissioners, and be made payable at the treasury of said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 194.

An Act

To authorize the commissioners of the sinking fund to sell at public sale all the right, title, claim and interest of the commonwealth of Pennsylvania of, in and to the lot of ground and buildings thereon erected, situate on the south-east corner of Sixteenth and Filbert streets, in the city of Philadelphia, and to execute and deliver the necessary conveyance therefor to the purchaser.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the sinking fund be and they are hereby authorized to sell at public sale, after three weeks' notice in three newspapers of Philadelphia, all the right, title, interest, claim and demand of the commonwealth of Pennsylvania of, in and to all that certain lot of ground, with the improvements thereon erected, situate on the south-east corner of Sixteenth and Filbert streets, in the city of Philadelphia, bounded and described as follows: Containing in front or breadth on the said Filbert street, one hundred and eighty-two feet, and extending in depth, southward of that width, along the east side of the said Sixteenth street, one hundred and six feet, to a certain thirty feet wide street called Jones street, bounded northwardly by the said Filbert street, southward by the said Jones street, eastward by city lots numbers seventeen hundred and ninety-eight and eighteen hundred

and three, and westward by the said Sixteenth street, under and subject, however, to the yearly ground rent or sum of one thousand five hundred dollars, payable quarterly on the first day of October, January, April and July in every year forever, (without deductions for taxes,) together with the free and common use and privilege of the said Jones street, and together with, all and singular, the buildings, improvements, ways, streets, alleys, passages, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the revenues and remainders, rents, issues and profits thereof, and to execute and deliver the necessary conveyance therefor to the purchaser or purchasers thereof, free and discharged from any liability to see to the application of the purchase money.

How proceeds to
be applied.

SECTION 2. The said commissioners are hereby directed to apply the funds of the sale of said premises towards the reduction of the indebtedness of this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 195.

An Act

Supplementary to the act, entitled "An Act to authorize the Wrightsville, York and Gettysburg Railroad Company to sell their railroad and appurtenances, property, real and personal, corporate rights and franchises to the Pennsylvania Railroad Company."

WHEREAS, By the provisions of an act to which this act is supplementary, the Pennsylvania Railroad Company have purchased, all and singular, the railroad and appurtenances, property, real and personal, corporate rights and franchises of the said Wrightsville, York and Gettysburg Railroad Company; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania Railroad Company be and it is hereby authorized to issue additional shares of its capital stock, not exceeding seven thousand shares, to represent the moneys expended on the purchase and improvement of the said railroad

and appurtenances; and the said Pennsylvania Railroad Company is hereby authorized to dispose of such additional stock in such manner and upon such terms as the board of managers may deem proper.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 196.

An Act

To authorize the Columbia Bridge Company to sell their bridge and its appurtenances, property, real and personal, corporate rights and franchises to the Pennsylvania Railroad Company, and to authorize the Pennsylvania Railroad Company to purchase the same, and to issue additional shares of its capital stock for that purpose.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Columbia Bridge Company, by deed, under its corporate seal, to grant, bargain, sell and convey unto the Pennsylvania Railroad Company, its successors and assigns, all and singular, their bridge over the Susquehanna river, at Columbia, and appurtenances, property, real and personal, corporate rights and franchises; and the said Pennsylvania Railroad Company is hereby authorized to purchase, hold and use the same as fully as the said Columbia Bridge Company are by law empowered to do; and for the purpose of effecting such purchase, the said Pennsylvania Railroad Company is hereby authorized to issue not exceeding ten thousand additional shares of its capital stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 197.

An Act

To authorize the Tyrone and Clearfield Railway Company to sell and convey its railway and appurtenances, property, real and personal, corporate rights and franchises to the Pennsylvania Railroad Company, and to authorize the Pennsylvania Railroad Company to purchase the same and to issue additional shares of its capital stock for that purpose.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Tyrone and Clearfield Railway Company, by deed, under its corporate seal, to grant, bargain and sell and convey unto the Pennsylvania Railroad Company, its successors and assigns, all and singular, its railway and appurtenances, property, real and personal, and corporate rights and franchises; and the said Pennsylvania Railroad Company is hereby authorized to purchase, hold and use the same as fully as the said Tyrone and Clearfield Railway Company is by law empowered to do; and for the purpose of effecting such purchase, the said Pennsylvania Railroad Company is hereby authorized to issue not exceeding twenty thousand additional shares of its capital stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 198.

An Act

To incorporate the Pittsburg Life Insurance Company of Pittsburg, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Phillips, Edward House, J. F. Keeler, Thomas Steel, Thomas W. Davis, Thomas S. Bigelow, James P.

Corporators.

Speer, Jared M. Brush, C. L. Magee, Th. H. B. Patterson, James L. Graham, George H. Anderson, Thomas W. Bayne, Miles S. Humphreys, and all others who may become associated with them as stockholders as hereinafter provided, their successors and assigns forever, be and they are hereby created and made a body corporate and politic for the purpose of life insurance, and for the other purposes hereinafter mentioned, by the name of the Pittsburg Life Insurance Company of Pittsburg, Pennsylvania, and by that name shall be and hereby are empowered to purchase, have, hold, possess and enjoy, to themselves and their successors, lands, tenements, hereditaments, goods, chattels and effects of every kind, and the same to grant, alien, sell, invest and dispose of, to sue and be sued, plead and be impleaded in all courts of justice, and to have and use a common seal, and the same to change, break and renew at pleasure, and to ordain and put in execution such by-laws and regulations as they may deem proper for the well ordering and government of said corporation and the transaction of its business: *Provided*, They be not repugnant to the laws of the United States or of this state, or to the provisions of this act of incorporation.

Name.

Powers and Privileges.

SECTION 2. The capital stock of said corporation shall be one hundred thousand dollars, with the right to increase the same at any time, by a vote of the stockholders, to any sum sum not exceeding two hundred thousand dollars, and the same shall be divided into shares of fifty dollars each; said capital stock shall be all paid in within one year after the organization of said corporation; no stockholder shall be liable in any event, in his private capacity, for the debts and liabilities of said corporation.

Capital stock.

Liability for debts.

SECTION 3. To secure the insured from all loss, and to guarantee the payment of any and all policies of insurance, or other contract predicated upon the lives of persons, that may be entered into by said corporation, the said capital stock, or any increase thereof, shall be taken and deemed security therefor; and the insured shall have a first lien upon all the stock, realty, property and effects of said corporation: *Provided however*, That the president of said company may, by order of the board of directors, or a majority thereof, sell and convey any and all realty and satisfy any and all mortgages owned by the corporation, in the regular course of the business of the corporation *bona fide*, and such sale and satisfaction shall divest and discharge any lien that the insured may have.

Capital stock security for payment of policies.

Insured to have first lien on property.

Proviso.

SECTION 4. The board of directors of said corporation may from time to time, as in their judgment may seem fit, declare and divide dividends out of the net profits of said corporation, over and above all expenses, and pay the same over to their stockholders: *Provided*, That no dividend shall be so declared that in any manner impairs the capital stock of said corporation, which is to remain intact as a first security to the policy holders.

Dividends.

SECTION 5. That the president and secretary of this corporation shall, on or before the fourth Monday of January in each and every year, make a correct and true report and ex-

President and secretary to make annual report on condition of affairs.

Report to be filed, and subject to exception.

Court to appoint examiners if report is excepted to.

Duty of examiners.

Power to make insurances.

Forfeiture of dividends.

Amount of policies and insurances limited.

Married women may have husbands' lives insured.

Insurance payable to them if they survive their husbands.

May be made payable to children in certain cases.

hibit, under oath, to the court of common pleas of Allegheny county, of the status of said corporation, the location and value of the real estate and mortgages by them held, the amount of cash and other assets on hand belonging to said corporation, the number of policies of insurance issued and outstanding, the amount and names of the persons insured and the sums received as premiums; which said report shall be placed on file in the prothonotary's office and remain there for public inspection, subject to exception within thirty days by any stockholder or any person holding a policy of insurance of said corporation, or other person interested; if the said report shall be excepted to within said period, and the court, upon examination and inspection, shall think the interests of the policy holders is materially jeopardized, it shall be their duty to appoint three competent and reputable persons as examiners, whose duty it shall be to thoroughly examine and inquire into the affairs of said corporation; and if they shall find, on inspection and examination, that the interests of the policy holders is in any manner seriously jeopardized, they shall proceed, under the direction of the court, to place the affairs of the corporation in such conditions as will amply secure the policy holders.

SECTION 6. Said corporation is authorized and empowered to make insurances predicated upon the lives of persons, on such terms and conditions as shall be, from time to time, ordered and provided for by the by-laws of said corporation, and to make contracts upon any and all conditions appertaining or connected with life risks of whatever kind or nature, and policies may be issued, stipulated to be with or without participation in profits; but all dividends which shall be declared upon such insurances, or declared to stockholders, which are not claimed and called for within one year after the same shall have been declared, shall be advertised for at least three weeks in some newspaper printed in Pittsburg, and if not demanded within one year after the publication of such notice, shall become forfeited to the company.

SECTION 7. No policy shall be issued by said company upon the life of any one person for a greater amount than ten thousand dollars, and at no time shall the aggregate amount of insurance issued by said company be greater than ten times the amount or value of the capital stock and assets on hand belonging to the company; and no dividend shall be declared which would lessen said proportion of the aggregate amount of policies to the whole amount of assets.

SECTION 8. That policies may be issued by said corporation to any married woman in her name, or in the name of a third person as trustee, to cause to be insured the life of her husband for any given period, or for the term of his natural life; and in case of her surviving her husband, the sum or net amount of insurance shall be payable to her for her sole use and benefit, free from any claims of either or any of the creditors or representatives of her husband; and in case of the death of the wife before the decease of the husband, the amount of the insurance may be made payable after her death to her child or children, for his, her or their benefit, or

their guardian or guardians if under age: *Provided*, That this section shall not apply to insurances where the annual premium is over one hundred dollars, unless paid from the private property of the wife. Proviso.

SECTION 9. That policies of insurance issued by said company, on the life of any person expressed to be for the benefit of a married woman, whether the same be effected by herself or by her husband, or by any other person on her behalf, shall inure to her separate use and benefit and that of her or husband's children, if any, as may be expressed in said policies, independently of her husband and his creditors and representatives, and also independently of any other person effecting the same in her behalf, his creditors and representatives: *Always providing*, That this section shall not apply to insurances where the annual premium on the policy shall exceed the sum of one hundred dollars, unless paid from the private property of the wife or by the person other than the husband so effecting the same *bona fide* for her benefit, as aforesaid. Policies for benefit of married women to inure to their or their children's use.
Proviso.

SECTION 10. The said corporation may loan money on good real estate security, bond and mortgage, bonds, or other security of the state of Pennsylvania or of the United States, or other good and sufficient security, at the same rates of interest now allowed by law to be charged by any of the savings banks of the city of Pittsburg: *Provided*, That said corporation shall not in any manner exercise banking or discounting privileges. May loan money on real estate security, &c.

SECTION 11. The office of said company shall be located in the city of Pittsburg; and the stock, property and affairs of said corporation shall be managed and conducted by a board of seven directors, to be chosen by ballot from among and by the stockholders, on the first Tuesday of January in each and every year; in the choice of directors, each stockholder present or represented by attorney shall be allowed one vote for each and every share of stock by him, her or them then held; and none but stockholders shall be eligible to the office of director; and the stockholders may determine what number of directors may constitute a quorum for the transaction of business. Office.
Management.
Election of directors.
Eligibility to office of director
Quorum.

SECTION 12. If it shall so happen that an election of directors of said corporation shall not take place at the time of the annual meeting thereof in any year, said corporation shall not be dissolved thereby, but an election may be held at any time within one year thereafter, the time to be designated and notice thereof given by the directors last chosen; and public notice, by order of the directors, shall always be given, at least five days previous to any meeting of the stockholders, in a newspaper printed in Pittsburg; and the president shall have power to call special meetings of the stockholders whenever requested thereto by a majority of the directors. Failure to elect directors at annual meetings.
Notice of meetings of stockholders.
Special meetings of stockholders.

SECTION 13. The directors may choose a president, vice president and secretary of their corporation, and appoint such other officers, clerks and agents, and establish such agencies in this state and elsewhere as shall be by them deemed advisable for conducting the business of the com- Officers, clerks, &c.

pany, fix their compensation, and take bonds from any and all of them for the faithful performance of their duties, and make such covenants and agreements as may be deemed necessary; the president and vice president shall be chosen from among the directors, and may hold their appointments for one year and until others are chosen to supply their places, but the other officers and servants of the company may be displaced and new ones appointed at the pleasure of the directors; in the absence or disability of the president, the vice president shall preside, and if both are absent or disabled, the directors may choose a president *pro tempore*; and in case any vacancy shall occur in the board of directors, the remaining directors may choose a director or directors from among the stockholders to fill such vacancy, who shall hold the appointment until others are chosen at the next regular election by stockholders.

Contracts.

SECTION 14. All policies of insurance or other contracts authorized by this act may be made with or without the seal of said corporation, and shall be signed by the president and secretary, and being so signed and executed shall be binding and obligatory upon said corporation, according to the true intent and meaning of such policies and contracts.

Suits.

SECTION 15. Suits at law may be maintained by any stockholder or person insured by said company, against said corporation, for losses or damages insured against by said corporation, if payment shall be withheld for more than thirty-five days after the same shall be due and payable by the terms of the policy of insurance, or other contract, and after said corporation shall have been duly notified of such loss or damage.

Commissioners appointed to receive subscriptions to capital stock.

SECTION 16. To carry out the provisions of this act, and to organize the said corporation, Jared M. Brush, Edward House, J. P. Speer, C. L. Magee and Thomas Steel be and they are thereby appointed commissioners for the purpose of receiving subscriptions to the capital stock thereof, to be governed and directed by the first, second and third sections of the act of April second, one thousand eight hundred and fifty-six, P. L., two hundred and eleven, in the organization of said company, except that a payment of five dollars per share shall be made at the time of subscription, and the balance within one year, in such instalments as the directors may determine, after letters patent shall have been issued under the provisions of said act.

How to be governed in organization.

Act may be altered, &c.

Subject to.

SECTION 17. This act may be altered, amended or repealed at the pleasure of the legislature; and said company shall be subject to all the rules and regulations relating to life insurance companies, now in force or hereafter to be passed, except where the same are altered by or conflict with the provisions of this charter; and the special provisions of this charter shall be deemed in full force until specially repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 199.

An Act

To authorize the Shamokin Valley and Pottsville Railroad Company to borrow money and issue its bonds and mortgage, to procure the endorsement of the Northern Central railway and the Philadelphia and Erie Railroad companies thereon, and authorizing said Shamokin Valley and Pottsville Railroad Company to purchase additional real estate.

WHEREAS, A certain indenture of mortgage, bearing date the fifth day of August, Anno Domini one thousand eight hundred and fifty-two, recorded in the office for the recording of deeds, et cetera, in and for the county of Northumberland, in mortgage book number five, page six hundred and thirty-two, et cetera, upon the sixteenth day of August, Anno Domini one thousand eight hundred and fifty-two, which is a lien upon the premises leased by the Shamokin Valley and Pottsville Railroad Company to the Northern Central Railway Company, by an indenture of lease, dated the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three, recorded in the said county of Northumberland, upon the seventh day of March, Anno Domini one thousand eight hundred and sixty-three, in deed book S S, page four hundred and seventy-eight, et cetera, is about maturing and it is necessary to provide for its liquidation or renewal, as well as for the development and improvement of the said premises, and the said Shamokin Valley and Pottsville Railroad Company is also desirous of purchasing additional real estate upon or convenient to the line of its road; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Shamokin Valley and Pottsville Railroad Company be and it is hereby authorized and empowered, upon the request of the said Northern Central Railway Company, to borrow such sum or sums of money as it may deem expedient, and as may be approved by the board of directors of the said Northern Central Railway Company, and to issue its bonds, obligations or other evidence of indebtedness therefor, in such forms as it may prescribe, in sums of not less than five hundred dollars each, and not exceeding, in the aggregate, the sum of two millions of dollars, bearing interest at a rate not exceeding seven per centum per annum, to make the principal and interest of said bonds or obligations payable at such time or times and at such place as may be deemed advisable; and for the purpose of securing the payment of said bonds or obligations, to make and execute a deed of trust or mortgage upon and governing the said railroad of the Shamokin Valley and Pottsville Railroad Company, from its western terminus, at Sunbury, to its eastern terminus, east of Mount Carmel, including all its branch roads, laterals

Preamble.

Authorized to borrow money and issue bonds therefor.

Authorized to execute mortgage.

Mortgage to take precedence of lease.

and sidings, and upon all of the said company's property, lands and estate, real and personal, and its corporate rights, privileges and franchises now held and acquired, and to be hereafter held and acquired or purchased, either under the provisions of this act or otherwise; which said deed of trust or mortgage, approved as aforesaid, by the board of directors of the said Northern Central Railway Company, shall take precedence of and be superior to said lease from the said Shamokin Valley and Pottsville Railroad Company, to the Northern Central Railway Company, dated the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-three, and to all and every the rights and interests of the said lessees under the said lease; and all the right, title and estate, claim and demand which may be vested in, or which may at any time be held or supposed to be vested in, said lessees or persons claiming under them by virtue of the said lease or any of its provisions, shall be held and taken to be entirely and absolutely subject to the lien and encumbrance of such deed of trust or mortgage; and in the event of a sale or foreclosure under such deed of trust or mortgage, all the property, lands, estates, premises and effects of the said company, which may be conveyed or included in the said deed of trust or mortgage, and the corporate rights, franchises and privileges of the said company, shall pass to and be vested in the purchaser or purchasers, free and discharged from the said lease and from all incumbrances or liens subsequent to the execution of such deed of trust or mortgage, and from all other liens, except such as may be given to secure the purchase money of such additional real estate as may be hereafter acquired by the said railroad company.

In event of sale under mortgage property to pass to purchasers free from lease, &c.

Authorized to purchase additional real estate.

SECTION 2. That the said Shamokin Valley and Pottsville Railroad Company be and it is hereby authorized and empowered to purchase from the Green Mountain Coal Company, or from any other corporation or person or persons holding or owning the same, and to have, hold and enjoy to it and its successors and assigns, in fee simple, in addition to the real estate owned by it and leased to the said Northern Central Railway Company as aforesaid, such other lands, tenements and hereditaments situate in the townships of Coal and Mount Carmel, Northumberland county, or either of them, as it may deem expedient and proper, with full power and authority at any time to grant and convey, alien, sell, demise, lease or otherwise dispose of the same, or any part thereof, either separately or along with the said coal lands mentioned and described in the said lease hereinbefore referred to, from the said Shamokin Valley and Pottsville Railroad Company to the said Northern Central Railway Company: *Provided however*, That such additional purchases shall not exceed five thousand acres of land.

May dispose of real estate.

May procure endorsement of Northern Central and Philadelphia and Erie railroad companies on bonds.

SECTION 3. That it shall and may be lawful for the said Shamokin Valley and Pottsville Railroad Company to procure the endorsement, guaranty or assumption of payment of the principal and interest of said bonds, obligations or other evidences of indebtedness hereby authorized and to be issued by it as aforesaid, by the said Northern Central Railway Com-

pany, or by the said Northern Central Railway Company jointly with the Philadelphia and Erie Railroad Company; which said endorsement, guaranty or assumption of liability and payment the said Northern Central Railway Company and the said Erie Railroad Company are hereby authorized and empowered to make and execute, either jointly or severally, in such manner and form, and upon such terms and conditions as may be agreed upon by the parties thereto, or as may be designated by resolutions of the respective board of directors of the said several companies.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 200.

An Act

To incorporate the Grand Lodge of the Ancient Order of United Workmen of Pennsylvania.

WHEREAS, Certain persons, citizens of Pennsylvania, Ohio and New York, are desirous of forming a corporation to promote and advance scientific and mechanical pursuits in the said states; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William W. Walker, R. M. Ross, Charles James, James Stranahan, A. Talamo, Josiah F. Allen, Horace G. Pratt, E. E. Stewart, Thomas Keown, H. G. Comstock, E. G. Stranahan, Peter Leinen, and their successors, be and are hereby created a body politic, by the name, style and title of the Grand Lodge of the Ancient Order of United Workmen of Pennsylvania, and by such name and title shall have perpetual succession, and be capable in law of suing and being sued, pleading and being impleaded, and of purchasing, holding, granting and receiving, in its corporate name, property, real, personal and mixed, and of instituting such subordinate lodges as it may see fit, under such rules, by-laws and regulations as the corporation may establish, not in conflict with the laws of the commonwealth.

SECTION 2. The object of the corporation shall be to improve the moral, mental and social condition of the members

of the lodges under its jurisdiction, and to prevent strikes amongst all classes, by exhausting all honorable means in its power for such end.

Seal.

SECTION 3. The said corporation shall have a common seal for the making and delivering of all legal acts and proceedings, the same to break or alter at pleasure.

Beneficiary fund.

SECTION 4. It shall be lawful for the corporation to create, hold and disburse a beneficiary fund for the relief of the members and their families of the lodges established by this corporation, under such regulations as may be adopted by the corporation: *Provided*, That such fund shall at no time exceed five thousand dollars.

Officers.

SECTION 5. The said corporation may make and constitute for the same such officers as it may deem necessary and proper, whose term of office shall expire on the second Tuesday of January of each and every year.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 201.

A Further Supplement

To an act to incorporate the Crawford County Mutual Insurance Company, passed the twenty-eighth day of April, one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Directors may levy yearly assessment to pay losses and expenses.

That it shall be lawful for the directors of the said Crawford County Mutual Insurance Company to levy an assessment, yearly, sufficient to pay the current losses and expenses of the company; said assessment to be in no case less than two per cent. of the original amount of the premium notes, and to be collected in the same manner as is now provided for by section ten of the act to which this is a supplement.

May insure property according to their discretion.

SECTION 2. That hereafter it shall be lawful for the Crawford County Mutual Insurance Company to make insurance on property of every class or description already included in their act of incorporation, according to their discretion, for which cash premiums only shall be received, and for any term which may be agreed upon; the sums thus received to be

paid into the common treasury of the company ; in consideration thereof said company shall be responsible for all losses accruing to property thus insured, according to the terms of their policies ; insurances thus effected shall not entitle the insured to membership in said company nor subject them to the payment of assessments: *Provided*, That this and the preceding section is not to affect the present members of the company.

Responsibility
for losses.

Insured not to
be members.

SECTION 3. That the eleventh section of the act to which this is a supplement be and the same is hereby repealed.

Eleventh sec
tion repealed.

SECTION 4. That the charter of the said Crawford County Mutual Insurance Company, as amended, be and the same is hereby extended and continued perpetually from and after the expiration of the present charter.

Charter extend-
ed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 202.

An Act

To incorporate the Chester Wharf and Shipping Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Green, Samuel H. Stevenson, Norris L. Yarnell, Samuel Montgomery, Christopher Blakely, William Ward and George Baker, and all such persons, corporations or firms as may become associated with them, and their associates, or any three of them, be and they are hereby created a body politic, by the name, style and title of the Chester Wharf and Shipping Company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving, in its corporate name, property, real, personal and mixed, and of holding and improving lands in the city of Chester, borough of South Chester and the township of Lower Chichester, in the county of Delaware, and to erect and build thereon wharves, docks, warehouses, elevators and such other buildings, machinery and appurtenances as may be expedient for building or repairing vessels, or for making, storing or shipping manufactures or products, and to sell,

Corporators.

Title.

Powers and
privileges.

Proviso. lease or otherwise dispose of the same or any part thereof: *Provided*, That any of the said erections, extending beyond low water mark in the river Delaware, shall be subject to the jurisdiction of the board of wardens of the port of Philadelphia.

Additional powers and privileges. SECTION 2. That the said corporation shall further have all the powers, privileges and authority, and be subject to all the restrictions conferred and imposed upon a corporation of the like name, by act of general assembly of this commonwealth, approved April third, one thousand eight hundred and sixty-nine, and to borrow money as in the said last recited act provided, at any rate of interest not exceeding eight per centum per annum.

Further powers and privileges. SECTION 3. The said corporation shall further have all the powers, privileges and authority, and be subject to all the restrictions, duties and liabilities as are conferred and imposed by the second, fourth and eighth sections of the act of general assembly of this commonwealth, approved December first, one thousand eight hundred and sixty-nine, upon the American Contract Company, thereby incorporated, except that the principal office of the company hereby incorporated shall be in the county of Delaware.

Bonus and taxes SECTION 4. That the said company shall pay such a bonus and taxes as are provided and imposed in the said last recited act.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 203.

A Further Supplement

To the act approved February twelfth, one thousand eight hundred and one, relating to the Germantown and Perkiomen Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any proceedings now pending or hereafter to be had for the valuation and ascertainment of the amount to be paid by the city of Philadelphia for the acquisition of the turnpike road, franchises and property of the Germantown and

Perkiomen Turnpike Road Company, under any laws heretofore passed in relation thereto, it shall not be deemed necessary that the view shall be actually made and the award or report signed by the whole of the nine men appointed, or to be appointed, for that purpose; but if such view and award shall be made, signed and reported by not less than six of the said nine men so appointed or to be appointed, of whom two, at least, shall be of those appointed by the said turnpike company, and other two, at least, shall be of those appointed by the city of Philadelphia, the same shall be as valid and effective as if made by the whole nine of said appointees; and all provisions of any previous acts inconsistent herewith are hereby repealed: *Provided*, That after view, hearing and report made as above provided, all exceptions made to the regularity of the appointment of said viewers shall be held to be waived.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 204.

An Act

Authorizing the board of school directors of the city of Altoona to borrow money and issue bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the city of Altoona be and they are hereby authorized and empowered to borrow any amount of money, not exceeding fifty thousand dollars, to be used and applied in purchasing grounds for and erecting school buildings in said city, upon such terms and conditions, and at such rates of interest, not exceeding eight per centum per annum, as the said school directors may deem best, and to issue bonds therefor: *Provided*, That no bond shall be for a less sum than one hundred dollars: *Provided*, That a special election shall be called for the purpose of permitting the tax-payers of the said city of Altoona to vote, by ballot, on the question embraced in said act; and if a majority of said votes are favorable to the provisions of said act it shall be in full force and effect; if otherwise, it shall be void and of no

effect; and the mayor of said city of Altoona is hereby directed to make due proclamation of the purpose of said election and voting, giving at least three weeks' notice of the same, by publication in two newspapers of said city; and all laws relating to general elections, and to the receiving, counting and returning votes, are hereby declared applicable to the votes and voters voting on such question; and violations thereof shall be punished as now provided by law; and until said votes shall be taken and result declared said school directors shall make no contract or enter into any agreement relating thereto; and that the city council be authorized and empowered to have distributed, to the different election districts of said city, tickets for the purpose, and provide all necessary expenses for conducting said election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 205.

An Act

To vacate a certain forty feet wide road, called the Ferry road, in the Twenty-eighth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain forty feet wide road, called the Ferry road, which extends from the Ridge turnpike road to the Schuylkill river, a short distance below the intersection of the Indian Queen lane and the said Ridge turnpike road, at the Falls of Schuylkill river, in the Twenty-eighth ward of the city of Philadelphia, be vacated and closed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 206.

An Act

To provide for the appointment of an additional notaries public in the counties of Potter and Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is hereby authorized to appoint and commission an additional notary public for the county of Potter, to reside in the borough of Coudersport, and one for the county of Bradford, to reside in the borough of Troy, who are hereby authorized, in addition to the general powers of notary public, to take acknowledgment and probate of deeds.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 207.

An Act

To vacate certain alleys and streets in the borough of Norristown, in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Harper's alley, Cherry alley or street, south-westerly from Washington street, and Schuylkill street, except between Barbadoes and Hickey streets, in the Upper ward of the borough of Norristown, in the county of Montgomery, be and the same are hereby vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 208.

A Supplement

To the act, entitled "An Act to incorporate the Cash Insurance Company," approved the twenty-third day of March, one thousand eight hundred and sixty-five.

WHEREAS, Public notice has been given, by publication for six months, of the intended application of the Cash Insurance Company of Pittsburg, for an enlargement of its corporate powers as hereinafter enacted; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Cash Insurance Company be and the same is hereby authorized to invest and employ its capital and assets in the purchase of promissory notes and other negotiable paper, and make loans upon the late security.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 209.

A Supplement

To an act relating to the elections of this commonwealth, approved July second, Anno Domini one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That sections one hundred and fifty-three, one hundred and fifty-four, one hundred and fifty-five, one hundred and fifty-six and one hundred and fifty-seven, of an act relating to elections, approved July second, Anno Domini one thousand eight hundred and thirty-nine, be extended so as to embrace all cases of the contested elections of borough and ward officers and of judges and inspectors of elections: *Provided,*

That the provisions of this act shall extend only to the counties of Northampton and Lehigh.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 210.

An Act

To prevent horses, mules, cattle, hogs and sheep from running at large in the township of Smithfield, in the county of Monroe, and in the township of Lower Towamensing, in the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act of the general assembly approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to prevent horses, mules, sheep and hogs from running at large in North Heidelberg township in the county of Berks," be and the same are hereby extended to the township of Smithfield, in the county of Monroe, and to the township of Lower Towamensing, in the county of Carbon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 211.

A Supplement

To an act to authorize the board of school directors of the borough of Bethlehem, Northampton county, to borrow money, approved the third day of May, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the borough of Bethlehem, in the county of Northampton, and their successors, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding in the aggregate the sum of thirty (30) thousand dollars, in addition to the amounts authorized by said acts, for the completion of school buildings, on terms provided for in the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 212.

An Act

To release certain real estate of the rector, church wardens and vestrymen of the Church of the Crucifixion, in the city of Philadelphia, from taxation.

WHEREAS, The real estate described as follows: All that certain messuage and lot of ground, situate on the south side of Lombard street, sixty-two feet west of Seventh street, in the city of Philadelphia, containing in front or breadth twenty feet, and extending in length or depth one hundred and two feet, is vested in the rector, church wardens and vestrymen of the Church of the Crucifixion, and is now appropriated to the charitable use of maintaining thereon a house for the poor and outcast; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said described real estate is and shall be exempt from all taxation, except for state purposes, so long as the said premises shall be used and maintained for said charitable uses by the said church corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 213.

A Supplement

To amend the charter of the borough of Shrewsbury, in the county of York, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the borough of Shrewsbury, in the county of York, shall be and is hereby divided into two wards, in manner following, to wit: All that part of said borough lying north of Shrewsbury and Railroad Station turnpike, from the east boundary of said borough west to the Albright church, and thence all that part north of the public road leading from said borough to Seitzland, from said church to the western boundary of said borough, shall compose one ward, to be called North ward; and all that part of said borough lying south of said turnpike and public road shall compose another ward, to be called South ward.

SECTION 2. That the place for holding the elections for the North ward shall be at the public school house in said ward, and that the place of holding the elections for the South ward shall be at the public house owned by Joseph Hartman, in said ward.

SECTION 3. That the qualified voters of each ward vote for and elect of their own number, annually, one judge and two inspectors as an election district; and the chief burgess be and is hereby empowered to appoint an additional judge and two inspectors, together with those already elected, so that each ward shall have an election board of one judge and two inspectors; the present elected constable to give the required election notice for both wards.

SECTION 4. That each ward shall be entitled to three school directors, one of which shall be elected annually from each

ward, after the first board which shall be chosen at the next election, and which shall be one from each ward to serve one year, one from each ward to serve two years, and one from each ward to serve three years.

Councilmen,
auditors, assess-
ors and constables.

SECTION 5. That each ward shall be entitled to three councilmen, to be elected annually, one auditor and one assessor, to be elected annually, and two assistant assessors, when required by law; one constable from each ward, to be elected annually, who shall have the same powers as township constables now have by law, and to be sworn in at the next court of quarter session of the peace after their election; and so much of the said borough charter which conflicts herewith be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 214.

An Act

To exempt the Baptist Home of Philadelphia from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property of the Baptist Home of Philadelphia, situate on the south side of Sycamore and west side of Forty-fifth street, in the Twenty-fourth ward of the city of Philadelphia, be and the same is hereby exempted from municipal taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 215.

An Act

To provide for the ordinary expenses of the government, and other general and specific appropriations for the year Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically appropriated to the several objects hereinafter named, for the year commencing on the first day of June, Anno Domini one thousand eight hundred and seventy-one, to be paid out of any moneys in the treasury not otherwise appropriated:

Appropriations

SECTION 2. For the salary of the governor of the commonwealth, five thousand dollars.

Governor and heads of departments.

For the salary of the secretary of the commonwealth, three thousand five hundred dollars.

For the salary of the deputy secretary of the commonwealth, two thousand two hundred and fifty dollars.

For the salary of the auditor general, three thousand dollars.

For the salary of the surveyor general, two thousand five hundred dollars.

For the salary of the attorney general, three thousand five hundred dollars.

For the salary of the adjutant general, two thousand five hundred dollars.

For the salary of the state treasurer, five thousand dollars.

For the salary of the superintendent of common schools, two thousand five hundred dollars.

For the salary of the state librarian, twelve hundred dollars, and for the assistant nine hundred dollars.

For the salary of the superintendent of public printing, sixteen hundred dollars.

SECTION 3. For the salary of the private secretary of the governor, two thousand dollars.

Executive department.

For messenger in the executive department, nine hundred dollars.

For postage, telegrams, stationery and other incidental expenses, the sum of two thousand dollars, or so much thereof as may be necessary.

SECTION 4. For the salary of the chief clerk in the office of the secretary of the commonwealth, one thousand eight hundred dollars.

State department.

For the salary of seven other clerks, nine thousand eight hundred dollars, or one thousand four hundred each.

For the salary of messenger in the state department, nine

hundred dollars, and the sum of two hundred dollars for extra service.

For postage, telegrams, freight and express charges, the sum of two thousand dollars, or so much thereof as may be necessary; and for the salary of a temporary clerk, at the rate of one hundred and twenty-five dollars per month, so long as the governor may require his services.

For blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For stationery, nine hundred dollars, or so much thereof may be necessary.

For fuel, one hundred dollars, or so much thereof as may be necessary.

For cleaning offices, one hundred and twenty-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses, three hundred dollars, or so much thereof as may be necessary.

Auditor general's office.

SECTION 5. For the salary of the chief clerk in the auditor general's office, one thousand eight hundred dollars.

For the salary of the clerk for settling the accounts of corporations, and having in charge the business of insurance companies, reports of railroads and manufacturing companies, one thousand eight hundred dollars.

For the salary of nine other clerks in the auditor general's department, the sum of one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars.

For the salary of night watchman, nine hundred dollars.

For postage and telegrams, seven hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For fuel, one hundred dollars, or so much thereof as may be necessary.

For miscellaneous expenses of the office, one hundred dollars, and for cleaning, seventy-five dollars, or so much thereof as may be necessary.

Surveyor general's office.

SECTION 6. For the salary of the chief clerk in the surveyor general's office, the sum of one thousand eight hundred dollars.

For the salary of thirteen other clerks in the surveyor general's office, the sum of one thousand four hundred dollars each.

For the salary of messenger, nine hundred dollars.

For postage in the surveyor general's office, seven hundred dollars, or so much thereof as may be necessary.

For stationery, five hundred dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses, one hundred and fifty dollars; and for fuel, one hundred dollars, or so much thereof as may be necessary.

Attorney general's office.

SECTION 7. For the salary of the deputy in the office of the attorney general, one thousand eight hundred dollars.

For the salary of the messenger, nine hundred dollars.

For the contingent expenses in the attorney general's office, five hundred dollars, or so much thereof as may be necessary.

SECTION 8. For the salary of the chief clerk in the state treasurer's office, one thousand eight hundred dollars. State treasury.

For the salary of three other clerks in the treasury department, one thousand four hundred dollars each.

For the salary of the messenger, nine hundred dollars.

For the salary of the night watchman of the treasury department, nine hundred dollars.

For postage and telegrams in the treasury department, three hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, three hundred dollars, or so much thereof as may be necessary.

For express charges, one hundred dollars, or so much thereof as may be necessary.

For fuel, seventy-five dollars, or so much thereof as may be necessary.

For miscellaneous expenses and cleaning, one hundred and fifty dollars, or so much thereof as may be necessary.

SECTION 9. For the salary of the chief clerk in the department of the adjutant general, the sum of one thousand eight hundred dollars, and for two other clerks in said department, the sum of fourteen hundred dollars each. Adjutant general's office and state arsenal.

For miscellaneous expenses, postage, telegrams, express charges and other incidental expenses, seven hundred dollars, or so much thereof as may be necessary.

For the salary of the messenger, nine hundred dollars.

For blank books, the sum of fifty dollars, or so much thereof as may be necessary.

For stationery, the sum of three hundred dollars, or so much thereof as may be necessary.

For cleaning office and ordinary repairs, the sum of fifty dollars, or so much thereof as may be necessary.

For payment of six men at the arsenal in cleaning arms, accoutrements, et cetera, and doing carpenter work, for one year, four thousand two hundred dollars.

For coal, lumber, hardware and other materials, one thousand dollars, to be settled by the auditor general in the usual manner.

For the salary of the keeper of the arsenal, who shall be subject to the orders of the adjutant general, fourteen hundred dollars, to be paid by the adjutant general: *Provided*, That when not necessarily occupied or employed in or about the arsenal, he shall be engaged in copying rolls in the adjutant general's office.

For payment of freight charges, shipment of arms, et cetera, to organize companies, and for payment of expenses incidental to inspection, the sum of one thousand dollars, or so much thereof as may be necessary.

For payment to Henry Ritner, for services in the state arsenal, the sum of forty-four dollars.

SECTION 10. For the payment of pensions and gratuities, the sum of one hundred thousand dollars, or so much thereof Pensions and gratuities.

as may be necessary to pay pensions and gratuities not provided for by act of congress.

School department.

SECTION 11. For the salary of deputy superintendent of common schools, eighteen hundred dollars.

For the salary of three other clerks in the school department, one thousand four hundred dollars each.

For expenses of principals of state normal schools and superintendents, in attending annual examinations, as per bill on file in the school department, two hundred and fifty dollars, or so much thereof as may be necessary.

For engraving and printing warrants, one hundred and seventy-five dollars, or so much thereof as may be necessary.

For salary of messenger, nine hundred dollars.

For stationery and blank books in the school department, three hundred dollars, or so much thereof as may be necessary.

For postage, telegrams and express charges, one thousand dollars, or so much thereof as may be necessary.

For cleaning office and miscellaneous expenses of the school department, three hundred dollars, or so much thereof as may be necessary.

For expenses in packing and distributing blank forms, reports, school laws and decisions, to the school directors of the state, one thousand dollars, or so much thereof as may be necessary.

For publishing and circulating among the school officers of the state, the official decisions and instructions of the department, two thousand two hundred dollars, or so much thereof as may be necessary.

For traveling expenses on official business of the department, six hundred dollars, or so much thereof as may be necessary.

Common and normal schools.

SECTION 12. For the support of the common schools, for the school year which will begin on the first Monday in June, Anno Domini one thousand eight hundred and seventy-one, to be paid on warrants to be drawn by the superintendent in favor of the several school districts of this commonwealth, the sum of six hundred and fifty thousand dollars, inclusive of the salaries of the county superintendents, and inclusive of the sum of fifteen thousand dollars for the education of teachers in the normal schools of this commonwealth, to be applied in the same way and under the same conditions as a similar appropriation was directed to be applied by the general appropriation act, approved the eleventh day of April, one thousand eight hundred and sixty-six: *Provided*, That each student in a normal school, drawing an allowance from the state, must receive regular instruction in the science and art of teaching, in a special class devoted to that object, for the whole time such an allowance is drawn; and in the allowance to soldier students to normal schools, no distinction shall be made on account of age; and that all examinations of the graduating classes at the normal schools shall be conducted by a board, of which the state superintendent or his deputy shall be president, of two principals of normal schools, of whom the principal of the school where students are under examination shall be one, and two county superin-

tendents of the district in which the school is located, to be appointed by the state superintendent; inclusive, also, of the sum of twenty-five hundred dollars to the Lincoln University, to be used for the same purposes as the appropriations to normal schools: *Provided*, That the city of Philadelphia shall be entitled to a proper proportion of this appropriation without contributing to the salaries of the county superintendents; and that the sum of three thousand dollars of the amount received by the city of Philadelphia shall be paid to the teachers' institute of said city, for its corporate purposes; for the state annual school of the first district, at West Chester, fifteen thousand dollars: *Provided*, That no appropriation shall be made to said school hereafter, but this amount is accepted in full for all claims upon this commonwealth.

SECTION 13. For the salaries of the judges of the supreme court, the sum of thirty-five thousand dollars, or the sum of seven thousand dollars to each judge, for the present year, to be in lieu of all daily pay, mileage or other expenses heretofore allowed by law. Judges of supreme court.

SECTION 14. For the payment of the salaries of the judges of the district court, and the judges of the court of common pleas of the city of Philadelphia, the sum of forty-five thousand dollars, or five thousand dollars to each judge for the present year. Judges, Philadelphia.

SECTION 15. For the payment of the judges of the district court, and the president and assistant law judges of the court of common pleas of the county of Allegheny, twenty-five thousand dollars, or five thousand dollars to each one of the law judges for the present year. Judges, Allegheny county.

For the payment of the president judge of the Twelfth judicial district, who performs increased labor in trying the commonwealth civil cases, in the county of Dauphin, the sum of five thousand dollars. President judge Twelfth judicial district.

SECTION 16. For the payment of the salaries and mileage of the president, additional and associate law judges of the several courts of common pleas in this commonwealth, except in the city of Philadelphia, in the county of Allegheny, and the Twelfth judicial district, the sum of one hundred and thirty thousand dollars, or so much thereof as may be necessary; each president and law judge to receive four thousand dollars salary during the present year. Judges, courts of common pleas.

SECTION 17. For the payment and mileage of the associate judges of the courts of this commonwealth, the sum of fifty thousand dollars, or so much thereof as may be necessary; each associate judge to receive, in lieu of the salary now allowed by law, five dollars per day for every day he may be employed in the discharge of his official duties: *Provided*, That the salary of no associate judge shall be less than three hundred dollars. Associate judges

SECTION 18. For the payment of the interest of the funded debt of the commonwealth, which fall due on the first days of July and August, Anno Domini one thousand eight hundred and seventy-one, and the first days of January and February, Anno Domini one thousand eight hundred and seventy-two, Interest on State debt.

the sum of one million seven hundred thousand dollars, or so much thereof as may be necessary.

Public printing.

SECTION 19. For the public printing, folding, stitching and binding, fifty thousand dollars, or so much thereof as may be necessary, on settlement of the accounts of the public printer according to law; that the printing of documents, et cetera, ordered by either branch of the legislature, or the clerks or committees thereof during the present session, be and the same is hereby declared legal and valid; the accounts for the same to be audited and settled in the usual manner by the auditor general: *Provided*, That the same be done at the rates prescribed in the contract for public printing.

Legislature, pay of members, &c.

SECTION 20. For the payment of the expenses of the legislature, including the pay and mileage of members, clerks and officers of each house appointed for this session, and the amount authorized by law for stationery and postage, the sum of three hundred and seventy-five thousand dollars, or so much thereof as may be necessary, to be settled by the auditor general; and the payment out of said sum to each of the members of the senate and house of representatives, for salary, shall be one thousand dollars and mileage; and the clerks and officers of each house shall be paid each such amount as is authorized by law and mileage; the foregoing sum to include the payment of all officers and employes; for the pay of pages, two hundred and fifty dollars each: *Provided*, The number of pages employed by the house of representatives shall not exceed sixteen, and in the senate the number of pages shall not exceed nine; to the engineers, for each day not exceeding ninety days employed during the recess, three dollars per day; to William Styers, for services in the librarian's room and other services, four hundred dollars and extra compensation.

Pages.

Engineers.

Wm. Styers.

General judiciary committee, for services in coal investigation.

For the pay of the members of the judiciary general committee, for services in the coal investigation, twenty-five hundred dollars, or five hundred dollars each.

Committee on public printing.

For the pay of the select committee on public printing, nine hundred dollars, or three hundred dollars each.

B. F. Burrows and W. H. Weaver.

To Benjamin F. Burrows and William H. Weaver, each, for keeping up fires in the speakers' room and other extra services, two hundred and fifty dollars.

John S. Lynch.

For John S. Lynch, three hundred dollars, for deficiency in his compensation for janitor during last year, he having received only half the compensation uniformly paid to all others for like services.

H. J. Mason.

To H. J. Mason, stenographer and clerk of the committee engaged in the investigation of the coal difficulties, the sum of seven hundred dollars, and the further sum of one hundred and fifty dollars as clerk to the committee on public printing; and to J. J. Hall, as assistant stenographer in the investigation of the coal difficulties, the sum of five hundred dollars.

J. J. Hall.

Witnesses before senate committee on printing.

For the payment of witnesses before the select committee on printing of the senate, at the present session, and subpoenaing the same, the sum of one hundred dollars, or so much thereof as may be necessary; the bill therefor to be certified

by the chairman of said committee and settled by the auditor general.

To Frank M'Laughlin, of Philadelphia, for attendance at Harrisburg, on several occasions, as the lowest qualified bidder for the public printing, and attendance before the select committee on printing of the senate, the sum of three hundred dollars.

Frank
M'Laughlin.

To Daniel Best, for labor performed in the basement during the present session, one hundred and fifty dollars.

Daniel Best.

To Jacob Styers, three months' extra service during the recess, at the same rate as a transcribing clerk, including extra compensation; the said librarian to place forty-one copies of the *Daily Legislative Record* at the public bindery to be bound, thirty-six copies for the use of the senators and principal clerks, four copies for the state library, and one to be reserved for the use of the senate, and to be distributed to the senators and clerks by the librarian.

Jacob Styers.

To have bound,
&c., certain
number of copies of Legisla-
tive Record.

For the payment of the watchmen of the senate and house of representatives, appointed under authority of resolutions of each house, three dollars per day each from the commencement of the present session; and the clerks of the senate and house shall appoint one day and one night watchman for the capitol building, at a compensation of three dollars per day each, which the state treasurer is hereby authorized to pay on the certificate of the chief clerks of the senate and house.

Watchmen,
senate and
house.

Clerks to ap-
point watch-
men.

To the clerk of the house of representatives seven hundred dollars, for expenses in boxing and forwarding matter for members during the session, as directed by a resolution of the house; and the resident clerk shall receive from the state printer the bound copies of the *Daily Journal* and forward a copy to each member of the house; and the sum of two hundred and fifty dollars is hereby appropriated to pay the expenses of forwarding the same.

Clerk of house,
for expenses in-
curred in for-
warding matter
for members.

Forwarding
bound copies
of Daily Journal
to members.

To John Cannon, for services rendered in transcribing during the present session, the sum of one hundred dollars, and to Harry C. Jones, for services rendered the comparing committee of the senate, in addition to his pay as a page, the sum of one hundred dollars; the state treasurer is hereby authorized and required to pay to J. Ziegler, chief clerk of the senate, two hundred and fifty-six dollars and seventy-five cents, amount paid by him for labor done in the basement during the present session, and before the regularly elected officers took charge of their positions.

John Cannon.

Harry C. Jones.

J. Ziegler, for
amount paid for
labor done in
basement.

To the widow or legal representatives of William G. Bosler, two hundred dollars, for services as transcribing clerk in the senate at the opening of this session.

Legal represen-
tatives of W. G.
Bosler.

That the pay of sergeant-at-arms in the senate and house of representatives shall be the same as transcribing clerk.

Sergeants-at-
arms.

SECTION 21. For packing and distributing the laws and journals of the legislature, to be performed under the direction of the secretary of the commonwealth, thirteen hundred dollars, or so much thereof as may be necessary.

Packing and
distributing
laws and jour-
nals.

SECTION 22. For the payment of postage, labor and express charges, and other miscellaneous expenses in the office of the resident clerk of the house of representatives during the

* Miscellaneous expenses in offices of resident clerk of house and clerk of senate.

recess, the sum of one thousand dollars, and for similar expenses in the office of the clerk of the senate, the sum of eight hundred and fifty dollars, or so much thereof as may be necessary, to be settled by the auditor general in the usual manner.

Water and gas for public buildings and grounds.

SECTION 23. For the payment of the city of Harrisburg, for supplying the public buildings with water, according to the act of April the twenty-eighth, Anno Domini one thousand eight hundred and forty, the sum of hundred and fifty dollars; and also for gas for the public buildings and the walks, such amount as may be found due the Harrisburg gas company, on the contract with the company, and upon a regular account being rendered to the auditor general, who is hereby authorized to examine and settle the same in the same mode and manner as other accounts are settled in said department, in pursuance of its charter and supplements, to be paid on the warrant of the auditor general.

Indexing journals.

SECTION 24. That the state treasurer is hereby authorized and directed to pay to each of the chief clerks, for the expense of indexing the journals, the sum of two hundred dollars; and to each transcribing clerk of the house of representatives and senate, the sum of two hundred dollars, in addition to the amount now allowed by law for their services during the session of the legislature; and so much of any act heretofore passed inconsistent herewith, be and the same is hereby repealed; and each sworn officer of the house and senate shall be entitled to mileage; and to the chief clerk in the office of the secretary of the commonwealth, the sum of two hundred dollars for indexing the pamphlet laws.

Additional compensation to transcribing clerks.

Indexing pamphlet laws.

SECTION 25. That all annual salaries herein provided for, and also all appropriations to penitentiaries and charitable institutions, shall be paid quarterly, at the office of the state treasurer, unless otherwise provided by law; and that no money appropriated by this act for any specific object, shall be applied to any other of the charitable institutions, penitentiaries or houses of refuge.

Salaries and appropriations, how paid, &c.

Deaf and dumb, for instruction of.

SECTION 26. For the instruction of the indigent pupils in the Pennsylvania institution for the instruction of the deaf and dumb, the sum of two hundred and fifty dollars per annum, for every deaf mute of this commonwealth taught at said institution, to be paid semi-annually, on the warrant of the governor, in favor of the president of said institution, the evidence of which shall be furnished to the state treasurer; and for deficiency in appropriation for support of pupils for the year one thousand eight hundred and sixty-seven, two thousand seven hundred and ninety-five dollars: *Provided*, That the amount drawn from the treasury for the instruction of the deaf and dumb pupils, shall not exceed the sum of forty-seven thousand seven hundred and ninety-five dollars.

Pennsylvania institution for blind.

SECTION 27. For the Pennsylvania institution for the instruction of the blind, the sum of thirty-three thousand dollars, to be paid in proportion to the number of indigent pupils from the several counties of the commonwealth, at the rate of three hundred dollars for each pupil, the evidence of which is to be furnished to the state treasurer.

SECTION 28. To the Western Pennsylvania hospital for the insane, for salaries of officers and wages of the employees, twenty-one thousand dollars.

Western Penn-
sylvania hospi-
tal for insane.

Insurance on buildings, et cetera, two thousand dollars ; for grading and improving grounds and protecting public buildings, ten thousand dollars.

SECTION 29. For the Pennsylvania State Lunatic hospital, at Harrisburg, for the payment of salaries and wages, and for the support of the house, the sum of twenty thousand dollars ; for the purpose of heating and ventilating the building, the sum of fifty thousand dollars, or so much thereof as may be necessary.

Pennsylvania
state lunatic
hospital, Har-
risburg.

SECTION 30. For the Pennsylvania training school for feeble-minded children, at Media, in the county of Delaware, the sum of twenty-three thousand dollars, for the maintenance and training of one hundred pupils : *Provided*, That each representative district in the commonwealth shall be entitled to send the number of persons to said institution that they are entitled to members on the floor of the house of representatives.

Pennsylvania
training school
for feeble-
minded chil-
dren.

SECTION 31. For the house of refuge in Philadelphia, thirty-seven thousand five hundred dollars.

House of re-
fuge, Philadel-
phia.

SECTION 32. For the house of refuge of western Pennsylvania, twenty-five thousand dollars.

House of re-
fuge, Western
Pennsylvania.

SECTION 33. For the Eastern Experimental farm, the sum of two thousand dollars.

Eastern experi-
mental farm.

SECTION 34. For the payment of the chaplain of the house of representatives, the sum of three hundred dollars, and for the payment of the chaplain of the senate, the sum of three hundred dollars, and extra compensation.

Chaplains,
house and sen-
ate.

SECTION 35. For the fire companies of the city of Harrisburg, the sum of seven hundred dollars, to be distributed in equal amounts to and among said companies.

Fire companies,
Harrisburg.

SECTION 36. For the Eastern penitentiary, for the payment of the salaries of the officers, twenty-seven thousand dollars, in equal quarterly payments, on or before the fifteenth day of the months of June, September and December, Anno Domini one thousand eight hundred and seventy-one, and March, Anno Domini one thousand eight hundred and seventy-two ; and for each discharged convict from the city of Philadelphia, or whose residence is within fifty miles thereof, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from the penitentiary.

Eastern peni-
tentiary.

For repairs to buildings, walls, doors, improvements, et cetera, two thousand three hundred and sixty dollars.

For books and stationery for prison and prisoners' library, one thousand dollars.

For introduction of gas, two thousand two hundred and ten dollars.

For payment of municipal claims, sewers, et cetera, one thousand and eighty-six dollars.

SECTION 37. For the Western penitentiary, for the payment of the salaries of officers, the sum of twenty-two thousand and four hundred dollars ; for library, five hundred dollars ; for sewerage and paving, three thousand dollars ; for deficit in construction of chapel, three thousand four hundred and fifty-eight dollars and sixty-two cents ; the salaries provided for in

Western peni-
tentiary.

this section to be paid in three equal quarterly payments, on or before the fifteenth of the months of June, September and December, Anno Domini one thousand eight hundred and seventy-one, and March, Anno Domini one thousand eight hundred and seventy-two; and for each convict whose residence or settlement is within fifty miles of said penitentiary, the sum of five dollars, and ten dollars to each convict whose residence or settlement is fifty miles or over from said penitentiary.

Hospital for insane at Danville

SECTION 38. For the hospital for the insane for the northern district of Pennsylvania, at Danville, for the prosecution of the work on main building, the sum of two hundred and fifty thousand dollars, to be used and applied only to the completion of the building now under roof and for which the foundations are laid, and the necessary out-buildings, so that the said hospital may be ready for the reception of patients, and to be paid quarterly, on vouchers to be approved by the auditor general, in proportion as the work is completed.

Board of public charities.

SECTION 39. For the salary of the general agent and secretary of the board of public charities, three thousand dollars per annum; for postage, telegrams and express charges, the sum of two hundred dollars, or so much thereof as may be necessary.

For fuel and cleaning room, the sum of three hundred dollars, or so much thereof as may be necessary, to include pay of messenger.

For stationery, the sum of one hundred dollars, or so much thereof as may be necessary.

For actual traveling and other necessary expenses of the commissioners and general agent of the board of public charities, one thousand dollars, or so much thereof as may be necessary.

State library.

SECTION 40. For repairs to gas fixtures in state library, one hundred dollars.

For additional alcoves, two thousand dollars.

For painting new and old cases, nine hundred and ninety-three dollars.

For moving books, taking up and relaying carpets, three hundred dollars.

For plastering and altering panel work, three hundred and twenty dollars.

For miscellaneous books, one thousand dollars.

For law books and exchanges, fifteen hundred dollars.

For reports of supreme court for year one thousand eight hundred and seventy, six hundred dollars, for the purpose of exchange with other states.

For freight on books, express, cleaning room, et cetera, four hundred dollars.

For marking books, one hundred dollars.

Historical department.

SECTION 41. For the salary of the state historian, for a period of one month, two hundred and fifty dollars.

For the salary of two clerks, two hundred and fifty dollars.

For miscellaneous expenses, one hundred and fifty dollars: *Provided*, That before any money is paid the state historian he shall make an assignment of the copyright of Bates' history to the state.

Public buildings and grounds.

SECTION 42. For the salary of the superintendent of the public buildings and grounds, fourteen hundred dollars.

For three assistant watchmen, an annual salary of nine hundred dollars each, to be paid monthly, and for necessary repairs and improvements to public buildings and grounds, seven thousand dollars, and for painting at capitol building, including outside work, fifteen hundred dollars.

For seats for public grounds, to Thomas J. Close, fifteen hundred dollars.

For painting at land department, five hundred dollars.

For macadamizing walks and grounds, five hundred dollars.

For new furniture for executive chamber, one thousand dollars, to be expended under the directions of the governor of the commonwealth, and to be paid on vouchers to be approved by the auditor general.

For new furniture for executive mansion, two thousand dollars, to be expended under the direction of the governor of the commonwealth, and to paid on vouchers to be approved by the auditor general.

For winding and oiling the clock on the capitol and repairing the same, the sum of one hundred and twenty-five dollars, to be paid on an account certified by the clerks of the two houses; and the superintendent is hereby required to make a detailed statement of his expenditures to the next legislature.

SECTION 43. For the expenses required by the act, entitled "An Act to provide for the continuance of the education and maintenance of the destitute orphans of the deceased soldiers and sailors, and the destitute children of permanently disabled soldiers and sailors of the state," approved April ninth, one thousand eight hundred and sixty-seven, as follows, namely: That from and after the passage of this act all the duties performed by the superintendent of soldiers' orphans shall be done and performed by the superintendent of common schools: *Provided*, That the superintendent of common schools shall, before entering upon the discharge of his duties as superintendent of soldiers' orphans, give bond, with three sufficient securities, to be approved by the auditor general, and filed in the office of the secretary of the commonwealth, in the sum of twenty thousand dollars, for the faithful performance of his duties as superintendent of said orphans' schools: That for the additional duties imposed by this act upon the superintendent of common schools, he shall receive, annually, twelve hundred and fifty dollars, in addition to his present salary as superintendent of common schools.

Duties of superintendent of soldiers' orphans to be performed by superintendent of common schools.

To give bond.

Compensation.

For the salary of James L. Paul, or his successor, a clerk, Clerk hire, &c fifteen hundred dollars.

For the salary of one other clerk, fourteen hundred dollars.

For the salary of the inspector or examiner, the sum of eighteen hundred dollars.

For the salary of one female assistant inspector and examiner, twelve hundred dollars.

For postage and telegrams, four hundred dollars, or so much thereof as may be necessary.

For stationery and blank books, one hundred and fifty dollars, or so much thereof as may be necessary.

For printing, four hundred dollars, or so much thereof as may be necessary.

For transferring pupils, five hundred dollars, or so much thereof as may be necessary.

For funeral expenses, three hundred dollars, or so much thereof as may be necessary.

For traveling expenses of the superintendent and his assistant, five hundred dollars, or so much thereof as may be necessary.

For office furniture, one hundred and fifty dollars, or so much thereof as may be necessary.

For the education and maintenance, including clothing, of each orphan of less than ten years of age, admitted into such orphan homes as receive now or have received appropriations from the state, the sum of one hundred dollars, or so much thereof as may be necessary.

Education and maintenance of orphans.

For the education and maintenance, including clothing, of each orphan, of less than ten years of age, admitted into such orphan homes or institution, as have received no appropriation from the state, the sum of one hundred and fifteen dollars, or so much thereof as may be necessary: *Provided*, That no soldiers' orphans be admitted into any such institution under eight years of age.

Auditor general to issue certain warrants.

For the education and maintenance, including clothing, of each orphan above the age of ten years, admitted into such institutions as may be selected for them by the proper authorities, and which have received no appropriation from the state, the sum of one hundred and fifty dollars, or so much thereof as may be necessary; the gross amount appropriated for all purposes connected with the soldiers' orphans schools not to exceed one hundred and thirty thousand dollars for each quarter; and all accounts to be settled by the auditor general and state treasurer in the usual manner, and to be paid on the warrant of the auditor general; and the auditor general is hereby authorized and directed to issue his warrants to the several principals and treasurers of the soldiers' orphans' schools and homes, for the sums due such schools and homes, for the quarter ending May thirty-first, one thousand eight hundred and seventy, as determined by his settlement of their bills for said quarter; and the state treasurer is hereby authorized and directed to pay the same out of the unexpended balances, which have accrued or which may accrue from the appropriations to soldiers' orphans' schools for the year ending May thirty-first, one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two, and out of the moneys returned to the treasury from the loans made to certain schools, under the act of April fifteenth, one thousand eight hundred and sixty-seven, and its supplement; and it is hereby further declared, that no child born after the first day of January, Anno Domini one thousand eight hundred and sixty-six, shall be admitted into any of the institutions aforesaid; and it shall be the duty of the superintendent, on or after the first day of June next, to discharge from any and all the institutions which have received or which shall hereafter receive any such children, under the provisions of the act of April ninth, Anno Domini one thousand eight hundred and sixty-seven, as shall have arrived at the age of

Children born after certain date not to be admitted into institutions. Superintendent to discharge from institutions children who arrive at age of sixteen years.

sixteen years; and so much of the act, entitled "An Act to provide for the education and maintenance of the destitute orphans of the deceased soldiers and sailors of the state," approved April ninth, one thousand eight hundred and sixty-seven, as conflicts herewith, be and the same is hereby repealed; and it is hereby declared to be the further duty of the superintendent to prescribe the kind of clothing to be worn by the children in said orphans' schools, and to see that each receives an amount of the full value of twenty-five dollars.

To prescribe kind of clothing to be worn by children, &c.

For D. G. Klein, superintendent of the soldiers' orphan school at Jacksonville, Centre county, five thousand dollars, or so much thereof as the auditor general, secretary of the commonwealth and the state treasurer, upon the examination of the accounts of the said D. G. Klein, may find due him from the state.

D. G. Klein.

For Professor Henry D. Walker, in further and final compensation for damages occasioned by the removal of the soldiers' orphan school from Orangeville, Columbia county, five thousand dollars.

Henry D. Walker.

SECTION 44. For expenses in executing the corporation tax laws, the sum of one thousand dollars, or so much thereof as may be necessary, to be paid on the warrant of the auditor general, upon accounts regularly settled according to law.

Expenses in executing corporation tax laws.

SECTION 45. For the Northern home for friendless children, the sum of five thousand dollars, one thousand dollars of which shall be exclusively used in and for the hospital department of said institution.

Northern Home for friendless children.

SECTION 46. For the Home of the friendless in Harrisburg, three thousand dollars, to be applied to the erection of buildings, and for Saint Joseph's orphan asylum, at Erie, two thousand dollars.

Home of friendless, Harrisburg, and St. Joseph's orphan asylum at Erie.

SECTION 47. For the Home for little wanderers, the sum of three thousand dollars.

Home for little wanderers.

SECTION 48. For the Union school and Children's home for friendless children, in Philadelphia, the sum of two thousand dollars.

Union school, &c., Philadelphia.

SECTION 49. For repairs to the powder magazine and superintendent's house, in Philadelphia, eight hundred dollars, or so much thereof as may be necessary.

Powder magazine, Philadelphia.

SECTION 50. To the managers of the Soldiers' home of Philadelphia, the sum of two thousand dollars.

Soldiers' home of Philadelphia.

SECTION 51. To the publishers of the Legislative Journal, fourteen dollars per page, in accordance with the contract, the amount to be settled by the auditor general, as per contract; and for making out an index to the journal, the further sum of three hundred dollars; and that the publishers of said journal be authorized to resume the publication of the same at the commencement of the next session, and continue the same, under the terms of the existing contract, until otherwise ordered by the two houses.

Publishers of the Legislative Journal.

Authorized to resume and continue publication of journal next session.

SECTION 52. For the payment of David Derickson, six thousand dollars, W. M. Hall, six thousand five hundred dollars, commissioners to revise the civil code, and in full for said service.

David Derickson and W. M. Hall.

Womelsdorf orphans' home.

SECTION 53. For the Womelsdorf Orphans' home of Berks county, the sum of three thousand dollars.

Corporations, penitentiaries, &c., to take vouchers and make quarterly settlements with auditor general.

SECTION 54. That all corporations, penitentiaries, charitable and educational institutions receiving and disbursing state appropriations, shall take vouchers for the money so expended by them, and shall make quarterly settlements with the auditor general.

Philadelphia and Reading railroad company.

SECTION 55. For payment of the Philadelphia and Reading Railroad Company, for transportation of bodies of deceased soldiers, the sum of ten dollars and seventy-five cents, on vouchers to be settled by the auditor general.

Military claims

SECTION 56. For the payment of the military claims passed in pursuance of the act of assembly, approved April sixteen, one thousand eight hundred and sixty-two, the sum of forty thousand dollars, or so much thereof as may be necessary; and that all claims shall be filed on or before the first day of May, one thousand eight hundred and seventy-two; and that no claim under the act of April sixteen, one thousand eight hundred and sixty-two, and its supplements, shall be allowed unless filed before the first day of May aforesaid.

L. Rogers.

SECTION 57. To L. Rogers, for clerical services in the senate during the present session, the pay as provided by this bill, and extra compensation of an assistant clerk of the senate for this session.

Expenses incident to calling out military of Ninth division.

SECTION 58. The state treasurer is hereby authorized and directed to pay the necessary expenses incident to the calling out by the governor of the military of the Ninth division, to suppress the recent riots in Luzerne county, and on pay rolls prepared according to law and certified by the adjutant general, and accounts certified by the major general commanding said division, and approved by the auditor general.

Philadelphia Orthopædic hospital.

SECTION 59. To the Philadelphia Orthopædic hospital, the sum of ten thousand dollars, to assist in the purchase of a lot of ground and suitable building for said hospital: *Provided*, That a like sum shall be contributed for the same purpose, by the friends of the hospital, to be certified to the satisfaction of the governor; and the money hereby appropriated, or the property purchased therewith, shall never be diverted to any other purpose; but in case of the abandonment of the building for the use of the said hospital, the same shall revert to the state; and the conditions of this appropriation shall be set forth at large in the deed of conveyance of the real estate, which shall be duly recorded, and a copy thereof deposited with the auditor general.

Legal representatives of Hon. Ellis Lewis.

SECTION 60. To the legal representatives of the honorable Ellis Lewis, in full for services as commissioner to revise the penal code, in the years one thousand eight hundred and fifty-eight, and one thousand eight hundred and fifty-nine, sixteen hundred and sixty-six dollars and sixty-six cents. To the Hahnemann Medical hospital of Philadelphia, five thousand dollars, to be applied for the furnishing of the buildings, and for medical supplies for the poor.

Hahnemann Medical hospital, Philadelphia.

Home for friendless children, Wilkesbarre.

SECTION 61. For the Home for friendless children for the borough of Wilkesbarre, in the county of Luzerne, five thousand dollars, upon the provisions contained in the thirty-fifth

section of an act to provide for the ordinary expenses of the government, and other general and specific appropriations, approved April sixth, one thousand eight hundred and seventy.

SECTION 62. To D. F. Etzweiler, in charge of the speaker's room in the senate, and as clerk to the senate apportionment committee, and James Worrell, in charge of the speaker's room in the house, and R. T. Wood, who acted as transcribing clerk of the house, each the pay of a transcribing clerk and extra compensation, as provided in this bill, and by joint resolution; to eight clerks in the secretary of the commonwealth's office, two hundred dollars each, for extra services in arranging and indexing papers.

D. F. Etzweiler,
James Worrell
and R. T. Wood.

Arranging pa-
pers in secreta-
ry's office.

SECTION 63. For the Antietam National cemetery, in Washington county, Maryland, five thousand dollars, in full of the *pro rata* share of Pennsylvania to said cemetery.

Antietam Na-
tional cemetery

SECTION 64. For the removal of the confederate dead who fell in the battle of Gettysburg, whose bodies are yet remaining on the battle ground, to Washington cemetery, in Maryland, three thousand dollars, or so much thereof as may be necessary, to be expended under the direction of the trustee or trustees, to be appointed by the governor of the commonwealth; and the state treasurer is hereby authorized and required to pay the same, upon the orders drawn by the said trustee or trustees, upon vouchers filed and allowed by the auditor general as in other cases.

Removal of con-
federate dead
who fell at Ge-
tysburg.

SECTION 65. For painting and necessary repairs at the treasury department, four hundred dollars, or so much thereof as may be necessary, to be paid on vouchers allowed by the auditor general as in other cases.

Painting, &c.,
at treasury de-
partment.

SECTION 66. To the society for alleviating the miseries of prisoners, in the city of Philadelphia, the sum of three thousand, to be applied to the relief of prisoners discharged from the Eastern penitentiary; for the expenses of the committee created under the joint resolution, approved March the eighth, one thousand eight hundred and seventy-one, in relation to the septennial celebration at Philadelphia, one thousand eight hundred and seventy-six, five thousand dollars, or so much thereof as may be necessary, to be paid on warrants drawn by the governor, and attested by the speakers of the senate and house of representatives; and the state treasurer is hereby authorized and directed to pay the same on said orders.

Society for alle-
viating miseries
of prisoners,
Philadelphia.

Committee in
relation to cen-
tennial celebra-
tion at Philadel-
phia.

SECTION 67. That the state of Pennsylvania shall issue, for the relief of the citizens of Chambersburg and vicinity, whose claims for war damages were adjudicated under the act approved fifteenth of February, A. D. one thousand eight hundred and sixty-six, certificates of loan to the amount of three hundred thousand dollars, to be appropriated by the state treasurer *pro rata* to said claims; and to each of said claimants, or to his, her or their proper representatives, there shall be issued a certificate or certificates to the amount of the appropriation to each claim; which certificates shall be signed by the governor and state treasurer, and be countersigned and registered by the auditor general, and be free from all taxes except those imposed by the laws of the United States, and bear six per centum interest per annum, payable at the treasury

Relief of citi-
zens of Cham-
bersburg and
vicinity.

of the state, on the first days of July and January of each year; and the sum of eighteen thousand dollars is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, to pay the interest on said certificates for the current year; the said certificates shall be redeemable in five years, or sooner, at the option of the commonwealth; upon the issue of said certificates to the claimants respectively, as hereinbefore provided, the state shall become the holder of said claims, and the governor shall demand the payment of the amounts heretofore paid and hereby appropriated to said claims, from the general government, and appoint such agents for the purpose as may be deemed necessary; and out of any moneys appropriated to said claims by the United States, the certificates of loan hereby authorized shall be first redeemed; and any additional amount repaid to the state on account of advancements to said claims, shall be appropriated *pro rata*, by the state treasurer, to the claims in the border counties for war damages, adjudicated under the several acts of assembly, excepting and excluding those adjudicated under the act of fifteenth of February, one thousand eight hundred and sixty-six: *Provided*, That nothing herein shall be construed to make the state in anywise liable for or on account of any of said claims.

Repairs, &c., in senate post-office department and ante-rooms.

SECTION 68. For making repairs and improvements in the senate post office department and ante-rooms, the sum of five hundred dollars, or so much thereof as may be necessary, to be expended under the direction of the chief clerk of the senate.

House committee on Marine hospital and Erie harbor.
A. W. Cook,

SECTION 69. To each member of the house special committee on Marine hospital and Erie harbor, appointed on recommendation of special message of the governor, the sum of three hundred dollars, and to A. W. Cook, clerk of said committee, the sum of four hundred dollars.

Employees appointed by the speakers, &c., entitled to extra pay.

The employees appointed by the speakers and clerks of the senate and house shall be entitled to the extra pay authorized to be paid by the act of twenty-fourth May, Anno Domini one thousand eight hundred and seventy-one, and the state treasurer is hereby authorized to pay the same, when properly certified by the speakers and clerks of the senate and house; and the sum of five thousand dollars, being the balance due P. F. Rothermel, for the picture of the battle of Gettysburg, which sum shall not be paid until the twenty-second day of February, Anno Domini one thousand eight hundred and seventy-two, to which date the time for the delivery of the picture is hereby extended.

P. F. Rothermel

Repeal.

SECTION 70. All acts of assembly, or parts of acts, inconsistent with the provisions of this act, be and the same are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 216.

An Act

To incorporate the Fairchance Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That George A. Thomson, of Uniontown, F. H. Oliphant and R. C. Tate, of Fairchance, county of Fayette, state of Pennsylvania, Richard Irvin, Richard Irvin, Jr., Charles L. Perkins and Edward Livingston, of the city of New York, in the state of New York, their associates, successors and assigns, and all such persons and parties, companies or corporations as shall become stockholders in the company hereby incorporated, whether citizens or residents of the United States or elsewhere, shall be and they are hereby constituted a body corporate and politic, by the name and style and title of the Fairchance Iron Company, to be located at and in the vicinity of Fairchance furnace, near Uniontown, Fayette county, Pennsylvania, and by the said name and style and title shall have succession and a common seal, with power to alter the same at pleasure, and shall have power to sue and be sued, plead and be impleaded in any court of this commonwealth or elsewhere, and to appoint all necessary agents and assistants, and may have, enjoy and exercise all the rights, privileges and powers necessary for the development and improvement of the lands which may belong to said company in fee simple, by leasehold or license, or in any other way, in Fayette county, Pennsylvania, and Monongalia county, West Virginia, by quarrying and mining for coal and iron ore, fire-clay, stone, limestone, and all other minerals, materials and products, which may be found in said lands, by manufacturing steel, iron, coke, bricks, lime and any other articles, for use or sale, cutting and sawing timber, and procuring and preparing for market any and all products or commodities which may be obtained and manufactured from the materials there found, and for transporting such manufactures, products and commodities to market; and for that purpose shall have power to purchase and hold in fee simple, or in any other way, including for life, a term of years, and by license, and by the purchase of mining rights in the counties aforesaid, not exceeding ten thousand acres of land, in the state of Pennsylvania, in the aggregate, at any one time, and to sell and dispose of the property, real and personal, of said company, and to employ the capital, means and credit of said company in acquiring real and personal estate, and in improving the same in such way and manner as the company may deem necessary for mining, manufacturing, and other purposes.

SECTION 2. A majority of the corporators herein named may proceed to open books for subscriptions to the stock of

Corporators.

Title.

Powers and privileges.

Subscriptions to stock.

- the said company, at Uniontown or elsewhere, and shall, at the same time or thereafter, designate a time and place for holding the first election of directors of said company, by parties previously subscribing to the stock thereof; each share of stock being entitled to one vote, and stockholders may vote in person or by proxy.
- SECTION 3.** That the capital stock of the said Fairchance Iron Company shall be three hundred thousand dollars, to be divided into shares of one hundred dollars each, with the right and power in such company to increase its capital stock from time to time, as it may elect, to any sum not exceeding the whole cost, to said company, of its lands, buildings, works, improvements, materials, stocks and other property, not to exceed one million of dollars.
- SECTION 4.** That subscriptions to the capital stock of this corporation may be made payable in money or in real or personal property, appropriate to the business contemplated by this act, at a fair valuation, to be fixed upon by a majority in interest of its stockholders, at the time of such purchase.
- SECTION 5.** That the affairs of said corporation shall be managed and conducted by a board of directors, to consist of not less than five, nor more than thirteen, as may be determined from time to time by the stockholders; said board of directors shall be stockholders, and shall be elected annually after the first election, as hereinbefore provided for, and shall hold their offices for one year, and until their successors are elected; but any failure or omission to elect such directors annually shall in no wise impair or affect meanwhile the rights or powers of those holding over, or the rights and interests of said company in any way; said board of directors shall elect a president from one of their number, and may elect a vice president, and shall fill all vacancies occurring in their own body until the next succeeding election by stockholders; and a majority of said board shall form a quorum for business.
- SECTION 6.** That the board of directors shall have power and authority to make and establish such by-laws as are not inconsistent with the constitution of the United States and of the state of Pennsylvania and the laws thereof, as may in their judgment be necessary and proper for the organization, regulation and management of the business of said company; and the meetings of stockholders and directors may be held within or without the state, as may be deemed advisable.
- SECTION 7.** That this act shall take effect as soon as one thousand shares of stock are subscribed for, and shall continue in force and effect for twenty-five years, after which the corporation shall cease to exist, except so far as may be necessary for the purpose of winding up its affairs.
- SECTION 8.** That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.
- SECTION 9.** The stockholders of said corporation shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for country produce furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of
- First election for directors.
- Capital stock.
- Payment of subscriptions to stock.
- Directors.
- President and vice president.
- Vacancies.
- Quorum.
- By-laws.
- Meeting of stockholders and directors.
- When act to take effect, and how long to continue in force.
- Bonus and taxes
- Individual liability of stockholders.

the act incorporating the Lackawanna iron and coal company, approved the fifth day of April, one thousand eight hundred and fifty-three.

SECTION 10. That said company may borrow money and create indebtedness, in such way and manner as the board of directors may deem necessary, for the prosecution and management of the business of the same, and issue the securities of the said company therefor, in such form and manner and payable in such places as they may deem proper, at a rate of interest not exceeding seven per centum, and dispose of such securities in such manner and at such places as the board may direct.

SECTION 11. That the said company shall have power to construct lateral railroads, not exceeding fifteen miles in length, for the more economical working of the aforesaid properties, with all the powers and privileges, and subject to all restrictions, terms and conditions authorized and empowered by an act regulating railroad companies, passed nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 217.

An Act

Authorizing the city of Altoona to provide a supply of water and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of introducing into the city of Altoona, in the county of Blair, a sufficient supply of fresh and pure water, for the use of the inhabitants thereof, the corporate authorities of said city are hereby authorized and empowered to purchase and hold, in the name of said city, in fee simple, or for any less estate, any water-power or water-powers in, near or convenient to said city, or any lands, tenements or hereditaments to which any water-power or water-powers may be appurtenant, and to purchase from the Altoona gas and water company any or all of their water rights, build-

Corporate authorities authorized to purchase water powers, &c.

May purchase buildings, &c., from Altoona gas and water company.

ings, reservoirs, cisterns, pipes, hydrants, machinery, fixtures, or any other thing useful or necessary in the conveyance, storage or distribution of water in and through said city, and the same to hold, use and enjoy, with full power the same or any part thereof to grant, bargain, sell, alien, convey, mortgage, pledge, charge, encumber and demise, and dispose of at their will and pleasure, and also to take, occupy and enjoy any stream or streams of water in, or near said city, that they may deem necessary to carry out the object and purpose of this act, or any lands to which any such stream or streams of water may be appurtenant, with full power to hold the same, for the purpose above mentioned, they doing as little damage as possible, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

May take possession of streams of water.

Authorized to erect works.

SECTION 2. That the said corporate authorities of the city of Altoona shall have full power and authority to provide, erect, construct and maintain all works and machinery necessary or proper for introducing into said city a sufficient supply of fresh and pure water, and to provide, erect, construct and maintain all proper buildings, dams, conduits, trenches, pipes, drains, machinery, cisterns and reservoirs, and all things necessary or proper to the full and entire completion of the same; and for this purpose they are hereby authorized and empowered by themselves, their agents, artisans, engineers and workmen, with their tools, instruments, carts, wagons, and other carriages and beasts of burden or draught, from time to time, and at all times hereafter, to enter into and upon such lands or enclosures, streets, lanes, alleys, roads or highways, as it may be necessary to hold, occupy or use, avoiding unnecessary injury or obstruction to said streets, lanes, alleys, roads or highways, and doing as little damage as possible to private property, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

May enter enclosures, streets, &c.

May enter upon lands contiguous to works and take materials.

SECTION 3. That the said corporate authorities of the city of Altoona, their superintendents, engineers, workmen and laborers, with their tools, instruments, carts, wagons and other carriages and beasts of burden or draught, may enter into and upon lands contiguous to the dam or dams, works, cisterns or reservoirs which they may erect, or the route upon which they may lay their pipes, and from thence take and carry away any stone, earth, sand or gravel, or any other material necessary to the construction, maintenance or repair of said dam or dams, works, cisterns and reservoirs, or to the proper laying down, maintenance or repair of said pipes, doing as little damage as possible to private property, and making compensation to the owners thereof in the manner hereinafter provided for.

Proceedings in cases of disagreement as to damages.

SECTION 4. If the parties cannot agree upon the compensation to be made to the owner or owners of such water-power, lands or enclosures required for the use of said works, or for materials taken, damages sustained or to be sustained in the construction, maintenance and use of said works, it shall and may be lawful for the parties to refer the matter to suitable

and judicious persons, to be mutually chosen, who, or a majority of whom, shall carefully examine the premises, and, according to the best of their skill and judgment, estimate the value of the water-power, land, enclosure or materials taken or necessary to be taken, and of the injury sustained thereby; or if the parties cannot agree upon such viewers, then either of them may apply to the court of common pleas of the county of Blair, who, upon such application, are hereby authorized and required to appoint five disinterested citizens of said county, who, after being duly sworn or affirmed faithfully to perform the duties enjoined on them by this act, shall proceed to view the premises as above prescribed, and they, or four of them, shall make report to the next term of said court what damage has been done, if any, which report shall be accompanied with a map or draft describing the bounds of the land taken by said corporation; on which report being confirmed by the said court, judgment shall be entered thereon, and execution may be issued in case of non-payment of the sum awarded, with such reasonable costs as may be allowed by the court: *Provided*, That either party may appeal to the court within thirty days after such report shall have been filed in the prothonotary's office, in the same manner as appeals are allowed in other cases, upon which appeal such proceedings shall be had as are usual in actions for damages at common law: *And provided further*, That it shall be lawful for the said corporation of the city of Altoona to enter at once into the possession or use of such water-powers, lands and premises, upon giving or tendering to the claimant or claimants their bond or bonds, in such amount and with such security as may be approved by one of the judges of said court, conditioned for the payment of such sum as the said claimant or claimants shall be entitled to receive after assessment made as aforesaid.

May take possession of lands, &c., upon tendering bonds to claimants.

SECTION 5. That the said corporate authorities, in council assembled, shall have full power and authority to pass, enact and ordain all laws and ordinances necessary to enable them to convey the said water through the city in all directions, and to fix hydrants, fire-plugs and stops wheresoever they may deem proper; and to fix and determine, from time to time, the rates of prices to be paid by the citizens and others for the use of said water and the penalties for non-payment, and to protect the water works, cisterns, reservoirs, dams, pipes, plugs and hydrants from damage or destruction, and generally to do all things requisite and necessary for carrying into full and perfect effect the objects contemplated by this act.

Authorities may pass ordinances relative to conveyance of water, fix hydrants, &c.

SECTION 6. That the said corporate authorities are hereby authorized and empowered, for the purpose of carrying into full effect the provisions of this act, to borrow, in the name and upon the faith, credit and responsibility of said city, such sum or sums of money, not exceeding in the whole two hundred thousand dollars, as they may deem necessary for the aforesaid purpose, and to issue bonds or certificates of indebtedness, in the name of the city of Altoona, under the corporate seal, attested by the signatures of the mayor, president of the council and secretary thereof, to the purchaser or purchasers

May borrow money and issue bonds.

May borrow money for redeeming loan, and levy tax.

Proviso.

Moneys realized from sale of bonds, together with water rents, to be kept separate, &c.

Penalty for opening communication with pipes, turning on water, &c., without authority.

Penalty for injuring buildings, corrupting waters, &c.

of said loan, in such sums as the city authorities may see proper, and bearing such rate of interest, not exceeding eight per centum per annum, as may be agreed upon; and also to borrow money, in the manner aforesaid, for the purpose of redeeming and paying off such loan, and shall have all power necessary for levying, assessing and collecting a tax, of not exceeding five mills on the dollar, for the purpose of redeeming and paying off the same: *Provided*, That any such loan shall be subject to the payment of state tax only.

SECTION 7. That all money received or realized from the sale of bonds issued in pursuance of the provisions of this act, together with all water rents, income or profit from the water works, shall be kept apart from the other money belonging to the corporation, and shall be designated the water fund, and shall be expended only in the construction, maintenance and repair of said works, the payment of the interest of said bonds, or in the payment and redemption of said bonds.

SECTION 8. That if any person, or persons, shall open a communication into the water main or other pipe of the said company, without authority from the proper officer of said company, or shall let the water on after the same shall have been stopped by order of the said corporation, or proper officer, for repairs or any other cause or purpose, or shall put up any hydrant or hydrants, pipe or pipes, in addition to those originally put up and inspected, and introduce into them water without authority as aforesaid, he, she or they shall be subject to a penalty of not less than ten nor more than one hundred dollars, recoverable before any alderman or justice of the peace of said county, as debts of like amount are recoverable, one-half to be paid to the informer and one-half to the water fund of said city.

SECTION 9. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever whereby any building, construction, reservoir or works of the said corporation, or water therein, or water power, or any matter or thing pertaining to the same, shall be destroyed, injured, contaminated, stopped or obstructed, the person or persons so offending shall be guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions of said county, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of the said corporation to a full compensation in damages by civil suit.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 218.

An Act

To declare the meaning of an act compelling railroad and other corporations to pay counsel fees of plaintiff in certain cases, approved May third, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of an act, entitled "An Act compelling railroad and other corporations to pay fees of plaintiffs in certain cases," approved May third, one thousand eight hundred and sixty-six, is and is hereby declared to be that corporations named in said act shall only be liable to pay the plaintiff's counsel fees, in case said corporations have contested the validity of the bonds for the recovery of the interest on which suit has been brought, and such validity has been established by a court of competent jurisdiction.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 219.

An Act

Relating to non-used and abandoned franchises of turnpike, plank road, canal and slack-water navigation companies or public highways, providing what shall constitute evidence of abandonment.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any turnpike, plank road, canal or slack-water navigation or public highway of any company or corporation, incorporated by the laws of this commonwealth, for the purpose of making, operating or using the same, has been or shall have been, for the period of five successive years or upwards, decayed, out of repair and unused, for the purposes

mentioned in the charter of such company, the same shall be deemed and held to be abandoned, together with all the easements and servitudes incident thereto; and all the rights, privileges and franchises of such company, in respect to the same, shall cease and determine; and such condition and non-user, for the period aforesaid, may be given in evidence in any suit or proceeding wherein the facts of such abandonment may be material, and shall be conclusive proof thereof: *Provided*, That this act shall not apply to any such company heretofore incorporated, unless the right is reserved in its charter to resume its corporate privileges and franchises in case of the misuse or abuse thereof: *Provided*, That the provisions of the bill shall not apply to any canal in the counties of Schuylkill, Wyoming, Bradford and Berks, nor to any turnpike or plank road in the county of Carbon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 220.

A Further Supplement

To the act of ninth of April, Anno Domini eighteen hundred and fifty-six, regulating the public printing and binding.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the existing regulations of law relative to the public printing and binding of the commonwealth, not herein repealed or hereby superseded, the following regulations and provisions shall take effect and be in force as to said printing and binding from and after the thirtieth day of June next:

First. The superintendent of public printing shall reside at Harrisburg, and shall receive an annual salary of sixteen hundred dollars, payable quarterly; his office shall be kept open and accessible throughout the year to all persons interested in the performance of his official duties; and he shall not be interested directly or indirectly in the public printing or binding, or in furnishing to the state materials therefor, or in supplying stationery, blanks or blank books to any department or officer of the government.

Additional regulations to be in force.

Superintendent, where to reside, his salary, &c.

Second. No public printing or binding shall be performed for, or supplies furnished to, any department or officers of the state government, or for or to any person acting on behalf of the same, by the public printer, unless previously ordered or authorized in writing, by the superintendent of public printing, except only the laws, journals of the two houses of the legislature, the volumes of legislative and executive documents, and the annual reports of the several heads of executive departments; nor shall any book be published at the expense of the state, or additional copies of any book be furnished by the public printer, unless by virtue of express authority of law.

No printing or binding to be performed unless ordered by superintendent.

Exceptions.

Books not to be published at expense of state unless authorized by law.

Third. The standard rates of compensation or price for the public printing and binding, and for all objects of charge against the commonwealth, by the public printer, shall be according to the schedule appended to this act; which said schedule is made a part of this act; but any specifications of printing or binding, or price thereof, contained in the printing act of ninth April, Anno Domini eighteen hundred and fifty-six, which may not be covered by said schedule, shall remain in force, and be held and construed as if this act had not been passed.

Rates of compensation to be according to schedule hereto appended.

Fourth. All blanks, blank books, circulars, printed forms, plain or tinted envelopes, paper or parchment, with official headings, printed cards or slips of names, and all other supplies of a like character, which may be required by either house of the legislature, by the governor or by any head of an executive department, in the due transaction of the public business and necessary thereto, shall, whenever the same is to be furnished by the public printer, be furnished only on a requisition from the superintendent of public printing as aforesaid, founded upon an application to him from the proper officer of the house or head of the department requiring such supplies; and whenever it shall happen that the price or cost of the same shall not be fixed by, or be ascertainable under, the laws relating to the public printing and binding, then the price or cost of the same shall be fixed and determined between the said superintendent and the public printer before the same shall be furnished or supplied, and shall not exceed the lowest rate at which such articles or supplies of like quantity and quality can be obtained elsewhere; and if the said printer shall decline to furnish such supplies, not expressly provided for by the printing laws, at such reasonable rates, it shall be lawful for the superintendent aforesaid to procure the same elsewhere at such reasonable rates, and certify his purchases forthwith to the auditor general for settlement, subject to the examination and revision of the account by that officer as in other cases.

Blanks, envelopes, &c., for legislature or heads of departments, how to be furnished.

How prices fixed when not ascertainable under existing laws.

In what case superintendent may procure articles elsewhere.

Fifth. The binding of pamphlets and other publications of similar character, and the re-binding of books for the state library or for any of the public offices, shall be done by the public printer at the same rates as those prescribed in the printing laws for similar work; but in any exceptional case when rates cannot be so ascertained, the price of said binding

Rates for binding pamphlets &c.

shall be determined by the superintendent of public printing before the work shall be done.

How work done or supplies furnished paid for when rates are not fixed by law.

Sixth. Any work done by said printer for the commonwealth, and any supplies or publications furnished by him to any department or public officer, the price or value of which may not be fixed by or be otherwise ascertainable under the printing act of eighteen hundred and fifty-six, or this act, shall be paid for at rates of compensation to be fixed in the manner provided for in the fourth division of this section, subject, however, to the control and authority of the auditor general over the accounts therefor.

Act of 9th April, 1864, repealed.

SECTION 2. That the act of nineteenth April, Anno Domini one thousand eight hundred and sixty-four, supplementary to the act of ninth of April, Anno Domini one thousand eight hundred and fifty-six, relating to the public printing and binding, be and the same is hereby repealed.

Number of volumes of laws, journals, &c., to be printed.

SECTION 3. That until otherwise provided by law the regular number of volumes of laws, journals and executive documents, reports of heads of departments, legislative hand-book, annual messages of the governor, and copies of bills printed for the legislature, shall be as follows :

Laws.

Seven thousand five hundred copies of the pamphlet laws, and five thousand copies of an edition of the general laws, one thousand of the latter to the senate, two thousand to the house, and two thousand to the secretary of the commonwealth, for general distribution.

Journals.

Five hundred copies of the journals of each house of the legislature.

Legislative documents.

Five hundred copies of the legislative documents.

Executive documents.

Five hundred copies of the executive documents.

Governor's annual message.

Seven thousand copies of the governor's annual message, two thousand thereof for the senate, four thousand for the house, and one thousand for the governor.

Auditor general's report on finances.

Eight thousand copies of the auditor general's report on the finances, two thousand thereof for the senate, five thousand for the house, and one thousand for the auditor general.

Auditor general's report on railroads, &c.

Two thousand five hundred copies of the report of the auditor general on railroads, canals and telegraph companies, five hundred thereof for the senate, fifteen hundred for the house, and five hundred for the auditor general.

Surveyor general's report.

Two thousand five hundred copies of the surveyor general's report, five hundred thereof for the senate, fifteen hundred for the house, and five hundred for the surveyor general.

Adjutant general's report.

Two thousand five hundred copies of the adjutant general's report, five hundred thereof for the senate, fifteen hundred for the house, and five hundred for the adjutant general.

State treasurer's report.

Five thousand copies of the state treasurer's report, fifteen hundred for the senate, three thousand for the house, and five hundred for the state treasurer.

Report of superintendent of common schools.

Twenty thousand copies of the report of the superintendent of common schools, five hundred thereof for the senate, one thousand for the house, and eighteen thousand five hundred for the superintendent of common schools, for distribution to the several school districts of the commonwealth; there shall also be published tri-ennially a like number of

copies, subject to like distribution, of the decisions of the superintendent of common schools.

Three thousand copies of a legislative hand-book, similar in character to the existing publication, five hundred thereof for the senate, and twenty-five hundred for the house; and the sum of three hundred dollars shall be allowed annually to the compiler of said work, for revising, editing and supervising the printing the same. ^{Legislative hand-book.}

There shall also be printed two hundred and fifty copies of each bill, for the use of the two houses, and to supply the files thereof, and fifty copies for the secretary of the commonwealth. ^{Bills.}

SCHEDULE.

RATES FOR PRINTING, BINDING AND BLANKS.

Printing.—For all composition in whatever type, except on legislative bills, per one thousand ems, as follows: ^{Printing.}

Plain composition, sixty cents.

Rule and figure work composition, one dollar.

For press work, for each token of two hundred and fifty impressions, or less, fifty cents.

For each page of legislative bills in pica type, including composition, press-work, folding and delivery, one dollar.

Tabular work shall be executed in brevier, or smaller type, without additional charge.

No composition, except of bills, shall be leaded or scabarded, without the direction of the superintendent, nor shall any composition, upon any pretence whatever, be fixed at other rates than those herein prescribed.

Folding, et cetera.—For folding, gathering, stitching and collating, and delivering, per one hundred sheets of any size, twenty cents. ^{Folding, &c.}

Binding.—For paper covers, including composition, press work and putting on, for all books, documents and publications, for hundred copies, one dollar. ^{Binding.}

For half binding, leather back, corner tips, paper sides and labels, per volume, fifty cents.

For binding in skiver with labels, per volume, sixty cents.

For binding in sheep with labels, per volume, eighty cents.

For binding in calf or morocco, tooled work with labels, per volume, one dollar.

For binding all books or documents in muslin covers, whether plain, gilded or embossed, with lettering on sides or back, or both, per volume, twenty cents.

All binding, the form and character of which is not prescribed by the printing laws, must be authorized in writing by the superintendent of public printing, or directed hereafter by the legislature.

Blank work and ruling.—For ruling and binding blank work, when the paper shall be furnished by the public printer, including the price of the paper, as follows: ^{Blank work and ruling.}

Per quire, letter size or smaller, for half binding with corners, twenty-five cents.

Same, full binding, forty cents.

Per quire, cap size, half binding with Russia corners, thirty cents.

Same, full binding, fifty cents.

Per quire, folio post, half binding, Russia corners, forty cents.

Same, full binding, sixty cents.

Per quire, demy, half binding, Russia corners, fifty cents.

Same, full bound, eighty cents.

Same, Russia ends and bands, one dollar.

Per quire, medium, half binding, Russia ends, eighty cents.

Same, full bound, one dollar and twenty cents.

Same, full, Russia ends and bands, one dollar and fifty cents.

Each quire to count twenty-four sheets, the paper to be first-class, letter size, to weigh not less than twelve pounds to the ream; cap, eighteen pounds; folio post, twenty-two pounds; demy, twenty-eight pounds; and medium, thirty-six pounds.

MISCELLANEOUS.

Miscellaneous.

For ruling per hundred sheets of all unbound blanks or other work, each passage through the machine, five cents.

Per hundred sheets, for cutting and dry pressing, two cents.

Price per quire, for lithographic headings on letter paper, not less than twelve pounds to the ream, forty cents.

Lithographic headings on note paper, not less than six pounds to the ream, per quire, twenty-five cents.

For printing on envelopes, official or departmental tint, per hundred, twenty cents.

For lithographic printing on envelopes, per hundred, twenty-five cents.

For each sheet of parchment, printed on one or both sides, one dollar and twenty-five cents.

Printing and binding to be let by legislature.

SECTION 4. That on Tuesday, the fourth day of April next, the two houses of the legislature shall meet in joint convention in the hall of the house of representatives, and let the public printing and binding for three years, from and after the thirtieth day of June next, according to the provisions of the act of April ninth, eighteen hundred and fifty-six, and its several supplements, including this act; and immediately upon the passage of this act the secretary of the commonwealth shall cause notice of said letting to be given pursuant to law, and particularly as presented in the proviso of section one of the aforesaid act of April ninth, eighteen hundred and fifty-six; and said secretary of the commonwealth shall also cause a copy of this act to be published three times in the several daily newspapers published at the city of Harrisburg: *Provided*, That for this year one week's notice shall be sufficient.

Secretary of the commonwealth to give notice of letting, and have copy of this act published.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 221.

An Act

To allow the improvement of creeks and rivulets.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when any person or persons have entered on or shall enter upon any creek, rivulet, run or stream, tributary to the West Branch of the Susquehanna river, or any of its branches, the same not having been declared or become a public highway in its entire length, and shall have there erected or shall hereafter erect upon their own lands or upon the lands of another, under written authority, any dam or dams, cribs, wharves, piers or channels, or shall have cleared out or shall hereafter clear out and improve the said stream for the purpose of floating lumber thereon, every such person or persons shall be deemed and taken to have therein a right of way exclusive and personal, upon filing the security and recording the statement hereinafter required.

When persons to have right of way in tributary streams of West Branch of Susquehanna or its branches.

SECTION 2. Before the person or persons shall be vested with the personal and exclusive right of way as aforesaid, he, she or they shall file in the office of the clerk of the court of quarter sessions for the county in which the stream is, his, her or their bond, with such sureties and in such sum as shall be approved in writing, endorsed thereon by a judge of said court, conditioned to pay all damages to property along said stream, by reason of the erection of their improvements and the navigation of said stream, which may be assessed in the manner hereinafter provided.

Bond to filed in office of clerk of quarter sessions

SECTION 3. Before the person or persons shall be vested with the right of way as aforesaid, he, she or they shall also file in the recorder's office of the county in which the stream is, a statement under oath, detailing the facts upon which the claim to such right of way is founded, with the date and character of the improvements made; which statement shall be recorded in a docket to be procured for the purpose, or in the miscellaneous docket in said office.

Statement to be filed in recorder's office.

To be recorded.

SECTION 4. Any owner or owners of land along the stream claiming damages for injury to said land, or depreciation of its value because of the erection of such improvements, and the right of way hereby authorized, may file his or their petition to the court of quarter sessions of the county in which his land is situate; whereupon said court shall appoint viewers, who shall examine the premises, assess the damages and report to the said court in the same manner, and under the same regulations as damages are assessed for the opening of roads in said county; such report, when approved by the court, shall be final and conclusive upon the parties.

Land owners claiming damages, may petition court.

Court to appoint viewers.

Duty of viewers Report.

SECTION 5. If any other person or persons shall desire to

Proceedings where others desire to use streams and disagree upon terms with owners of improvements.

use the stream, or the dams and improvements made by the person or persons who shall have the right of way, under the previous provisions of this act, for the purposes of navigation, and the parties cannot agree upon the amount of compensation which should be paid to the parties owning the improvements and right of way, the person or persons so desiring to use the same, may at any time file in the office of the clerk of the court of quarter sessions of the county in which the same are situate, his, her or their bond, in such sum, with such sureties as shall be approved by a judge of said court, which approval shall be endorsed thereon in writing, conditioned for the payment of such compensation to the owners of the improvements and right of way, as shall be assessed in the manner hereinafter provided, and at the same time shall file in the same office, his, her or their petition for a view to assess such compensation.

Further proceedings.

SECTION 6. At the next term of the court of quarter sessions, after the filing of a petition under the fifth section of this act, the said court shall appoint three disinterested persons, who, after being duly sworn, shall ascertain and estimate the costs of the dams and other improvements owned by the owner or owners of the right of way under the first section of this act, adding thereto all sums which have been paid for damages under the fourth section of this act, and shall fix, determine and assess the rate or sum per thousand feet to be paid by the petitioner or petitioners, to the owners, for the use of such improvements and of the stream, and shall report the same to the court of quarter sessions; which report, when approved by the court, shall be final and conclusive between the parties.

Persons having right of way, to keep dams, &c., in good repair.

SECTION 7. Any person or persons having the right of way in any stream, under the first section of this act, shall keep the dams and improvements made by him or them in good condition and repair, or, in default thereof, shall forfeit all right to contribution and compensation from other parties.

Construction.

SECTION 8. Nothing in this act shall be construed to authorize a tax upon square timber or boards in any such stream, or to deprive any one of the right he otherwise has to navigate said stream with square timber and boards: *Provided*, That the provisions of this act shall not apply to any of the waters of Beach creek or its tributaries, in Clinton and Centre counties.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 222.

An Act

To extend the provisions of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the third section of the act of March twenty-seventh, one thousand eight hundred and sixty-seven, entitled "An Act to enlarge the jurisdiction of the courts of common pleas of this commonwealth, relative to granting charters of incorporation and confirming those heretofore granted," be and the same are so far extended, as to authorize and empower the said courts of common pleas to grant charters of incorporation to deer park associations, and other associations for the propagation of game and fish.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 223.

An Act

To continue in force the fourth section of an act, approved April second, one thousand eight hundred and sixty-eight, entitled "An Act extending to canal companies the privileges heretofore conferred on railroad companies, and to authorize them to deepen and improve their canals, and provide improved facilities for transporting property."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved April fourteenth, one thousand eight

hundred and seventy, entitled "A supplement to an act, entitled 'An Act relating to railroad and canal companies,' approved April eleventh, one thousand eight hundred and sixty-four," shall not operate or be deemed to repeal or affect the provisions contained in the fourth section of the act, approved April second, Anno Domini one thousand eight hundred and sixty-eight, entitled "An Act extending to canal companies the privileges heretofore conferred on railroad companies, and to authorize them to deepen, improve their canals and provide improved facilities for transporting property," so far as relates to the canals situate on the Susquehanna river and its tributaries, and canals connected directly therewith; and that the said fourth section shall to that extent, and to said canals, be and continue in full force and effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 224.

An Act

Relative to the chartering of mutual fire insurance companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of an act, entitled "An Act supplementary to an act to enlarge the jurisdiction of the courts of common pleas of this commonwealth," approved March twenty-sixth, one thousand eight hundred and sixty-seven, so far as the same relates to the chartering of insurance companies, shall not apply to mutual fire insurance companies, but such companies may be incorporated by the courts without a capital stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 225.

An Act

To empower the courts of common pleas of this commonwealth to authorize school directors to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several courts of common pleas of this commonwealth shall have power to authorize the school directors, of any school district within their respective jurisdictions, to borrow money for the purpose of erecting school houses, to an amount not exceeding five per centum upon the last preceded adjusted tri-ennial valuation of the property of said school district; and the said court may decree that such moneys shall be raised by bonds, mortgages or other security, at any rate not exceeding eight per centum, free from all taxation, and reimbursable at any period not exceeding twenty years from the date of such decree: *Provided,* That before exercising jurisdiction of the petition of the board of school directors, or a majority thereof for such decree, the said board shall produce to the court the consent, in writing, of a majority in number of the qualified electors of such district: *And provided further,* That no such decree shall be made until notice by advertisements in two papers of said county, (if so many shall be therein published,) shall have been given by the said board of directors, during at least four weeks, of their intention to make application for such decree.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 226.

A Further Supplement

To an act for the organization, discipline and regulation of the militia of the commonwealth of Pennsylvania, approved May fourth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act the number of brigades in the city of Philadelphia shall be five instead of four, as fixed in the second proviso of the eleventh section of the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 227.

An Act

Prescribing the fees for the office of secretary of the commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fees of the secretary of the commonwealth, for the use of the state, shall be as follows :

For certificate with great seal, one dollar.

Certificate with less seal, seventy-five cents.

Certificate without seal, fifty cents.

Taking or filing bond of any public officer, one dollar.

Commission for auditor general, surveyor general, or any other state officer who receives salary, five dollars.

Writ of assistance, including great seal, five dollars.

Commission for any city, county or district officer who receives emoluments, and pays no state tax on commission, five dollars.

Commission to take acknowledgment of deeds or other instruments, five dollars.

Every search, twenty-five cents.

Certified copies, for every page, twenty-five cents.

Each commission for justice of the peace or alderman, to be collected and paid over to the recorders of deeds, two dollars.

Requisitions for criminals, or order upon same, one dollar.

Approving plan of prison, including certificate and seal, three dollars.

Filing description of bottles, under act of assembly, one dollar.

Each commission for railroad or mining police, one dollar.

Instrument incorporating any bank, for every thousand dollars of authorized capital, ten cents.

Letters patent or instrument incorporating any company or association, five dollars.

Commission authorizing view of turnpike road or bridge, one dollar.

License to erect gate and take tolls, one dollar.

Filing acceptance of provisions of act of assembly, one dollar.

Filing evidence of change of corporate name, one dollar.

Filing papers, creating corporation under general or special act of assembly, and recording same, five dollars.

Filing evidence of increase or decrease of capital stock, and recording same, five dollars.

Filing articles of association for railroad companies, and recording same, five dollars.

Filing agreements of merger and consolidation, five dollars.

Filing amendments to, or confirmations of charters, two dollars.

Filing evidence of dissolution of corporations and recording same, five dollars.

Filing draft of railroad or canal, two dollars.

And equivalent fees for any like services, though not herein specified.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 228

A Supplement

To an act providing for the taking of game.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the penalties provided and mentioned in the sixth section of an act to which this is a supplement, passed the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine, shall not be imposed and inflicted upon any person who shall take and catch, during any season of the year, speckled brook trout out of any stream of water running through his or her own lands, or of which she or he has a lease or right to take and catch fish therein, for the purpose

Penalties not to be imposed on persons for catching trout in streams running through their lands, &c.

of taking and confining them alive in artificial ponds built and erected for the breeding and cultivating of fish.

Penalties not to be collected from persons who have taken trout to place in artificial ponds.

SECTION 2. That no penalties for any violation of the provisions of said sixth section of said act shall, from and after the passage of this act, be inflicted upon and collected from any person who has heretofore taken and caught speckled brook trout out of season, for the purpose of placing and confining them alive in artificial ponds built and erected for breeding and cultivating fish.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 229.

A Supplement

To an act, entitled "An Act to consolidate, revise and amend the laws of this commonwealth relating to penal proceedings and pleadings," approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any indictment for involuntary manslaughter it shall not be necessary to set forth the manner in which or the means by which the death of the deceased was caused, but it shall be sufficient in every indictment for involuntary manslaughter to charge that the defendant did unlawfully kill and slay the deceased.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 230.

A Further Supplement

To an act, entitled "An Act to incorporate and endow the Pennsylvania institution for the deaf and dumb," passed the eighth day of February, one thousand eight hundred and twenty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of article first, section second, of the above recited act to incorporate and endow the Pennsylvania institution for the deaf and dumb, as requires the institution to be located in Philadelphia, be and the same is hereby repealed; and the board of directors of the said institution are hereby authorized and empowered to erect any new buildings that may be necessary, in any county of this commonwealth, contiguous to the city and county of Philadelphia.

Directors may erect new buildings in any county contiguous to Philadelphia.

SECTION 2. That it shall and may be lawful for the said board of directors to extend the term of instruction to eight years, to such indigent deaf mutes, taught in the said institution, at the expense of the commonwealth, as in the opinion of the said board of directors would be materially benefited thereby.

May extend term of instruction to indigent deaf mutes taught at expense of state.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 231.

An Act

To correct a clerical error in a supplement to the act providing for the taking of game, approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine, approved the fifth day of April, Anno Domini one thousand eight hundred and seventy.

WHEREAS, The act, entitled "A supplement to the act providing for the taking of game, approved the first day of April, one thousand eight hundred and sixty-nine," which was approved the fifth day of April, one thousand eight hundred and

seventy, was designed and intended to be a supplement to the act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, one thousand eight hundred and sixty-nine; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said supplement to an act providing for the taking of game, approved the first day of April, one thousand eight hundred and sixty-nine, approved the fifth day of April, one thousand eight hundred and seventy, is hereby declared to be a supplement to the act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, one thousand eight hundred and sixty-nine, with the same force and effect as if said act had properly recited the twenty-first day of April, one thousand eight hundred and sixty-nine, instead of the first day of April, one thousand eight hundred and sixty-nine.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 232.

A Supplement

To the act of April fourth, one thousand eight hundred and sixty-eight, relative to the formation and regulation of railroad corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That any number of persons, not less than three, all of whom must become stockholders, may form a company for the purpose of constructing, maintaining and operating a railroad, for public use, as provided for in the act to which this is a supplement: *Provided,* Said railroad shall not be of a greater length than five miles; and its stockholders may exercise all the powers granted in the act to which this is a supplement, under such rules and regulations as they may adopt, in the election of officers and the appointment of agents for carrying on the business of the corporation, not inconsistent with the act to which this is a supplement.

SECTION 2. That any corporation, formed under the act to which this is a supplement, having constructed a road, or ha-

Who may form
a company.

Length of road
limited.

Powers of stock-
holders.

ing partially constructed one, of no greater length than that fixed by this act, electing to organize under the provisions hereof, shall have the power to do so if a majority of its stock so determines, and shall, within thirty days, file in the office of the secretary of the commonwealth a certificate of its action and a copy of its articles of association, under forms fixed by said secretary; and any corporation failing, refusing or neglecting so to do, shall be subject to a fine of fifty dollars, to be collected as other fines are by the proper officers of the commonwealth.

Certain corporations may organize under this act.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 233.

An Act

Fixing the compensation of law judges of the commonwealth for holding special courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the compensation of law judges of the commonwealth, for the holding of special courts, under the provisions of any act which authorizes them to hold such courts beyond the bounds of their proper districts, shall be at the rate of twelve dollars per day, to be computed as to time, and to be paid in the manner provided by the second section of the act of fifteenth March, one thousand eight hundred and sixteen, entitled "An Act for holding special courts of common pleas;" and all assistant and additional law judges, in the commonwealth, shall have the same power, authority and jurisdiction, to hold courts outside of their districts, that the president judges now have.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 234.

A Supplement

To an act to enable railroad, canal and slack-water navigation companies to straighten, widen, deepen and otherwise improve their lines of railroads, canals and slack-water navigation, and the bridges, aqueducts, piers and structures thereof, approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the remedies and proceedings provided by the second section of the act to which this is a supplement, all and singular the provisions of the second and third sections of the act of assembly, approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "A supplement to an act, entitled 'An Act regulating railroad companies,' approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine," and of the first section of the act of assembly, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act extending the right of trial by jury to certain cases," are hereby made applicable to all cases arising and proceedings instituted under the said act to which this is a supplement.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 235.

An Act

Relating to leases or contracts for the use of canals or other navigation works by railroad companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the authority conferred upon railroad companies by the act approved the seventeenth day of February, Anno Domini one thousand eight hundred and seventy, entitled "An Act to authorize railroad companies to lease or become lessees, and to make contracts with other railroad companies, corporations and parties," shall extend to and embrace leases, assignments of lease, or other contracts relating to canal and other navigation works, situated either in this or any other state: *Provided*, That neither the provisions of the said act, approved the seventeenth day of February, one thousand eight hundred and seventy-one, nor of this act, shall authorize the leasing or merging of, or entering into contracts with the Susquehanna canal company, or the purchase in whole or in part, of the said canal, its capital stock, loans or securities, by any railroad company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 236.

An Act

To extend the time for paying certain enrolment taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time provided for in the second section of an act, entitled "An Act to revise, amend and consolidate existing laws regulating enrolment tax," approved the first day of May, Anno Domini one thousand eight hundred and sixty-eight, be further extended for one year from the first day of May, Anno Domini one thousand eight hundred and seventy-one, and its provisions shall be extended to all acts which were passed prior to May first, one thousand eight hundred and seventy.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 237.

An Act

To regulate the sale of clams and oysters.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Sale of clams and oysters in Philadelphia, during July and August, prohibited.

That it shall be unlawful for any person or persons, during the month of July and August, in each year, to bring into the city of Philadelphia, for the sale, or to vend or sell, or to expose for sale, within the same, any clams or oysters; and any person or persons so offending shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars, or undergo an imprisonment not exceeding six months, or both, at the discretion of the court.

Penalty.

Non-residents prohibited from selling clams and oysters without license.

SECTION 2. It shall be unlawful for any person or persons, not residents of this commonwealth, to bring into this state, for purposes of sale, or to vend or sell, or expose for sale, within this commonwealth, any clams or oysters, without first having obtained a license therefor, except such person or persons as have a store, warehouse or other principle place of business within the state, for which they have paid a tax or license to this commonwealth, under existing laws.

Exceptions.

By whom license to be granted.

SECTION 3. The license provided for in the second section of this act shall be granted by the treasurer of the city or county in which such clams or oysters are to be sold or exposed for sale, and shall be and continue for one year from the date on which it may be issued; and for such license the applicant shall pay to the said city or county treasurer the sum of five hundred dollars, for the use of the commonwealth.

Term of license. Amount of license.

Penalty on non-residents for selling without license.

SECTION 4. If any person or persons, not residents in this commonwealth, not having a store or warehouse, or other place of business, within the same, and not having a license, as provided in the second and third sections of this act, shall bring into this state, for the purpose of sale, or shall vend or sell, or expose for sale, within this commonwealth, any clams or oysters, such person or persons so offending shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than fifty nor exceeding three hundred dollars, or undergo an imprisonment not exceeding six months, or both, at the discretion of the court.

Sale of unopened clams or oysters, relative to.

SECTION 5. It shall be unlawful for any person or persons to sell unopened clams or oysters, within the city of Philadelphia, in any other way than by count or tale; and the same shall be counted at the time and place of sale, and before delivery; and any person or persons offending against this section shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars and not exceeding one hundred dollars, or undergo

an imprisonment not exceeding six months, or both, at the discretion of the court.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 238.

An Act

Changing the terms of the supreme court for the Western and Northern district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the regular term of the supreme court for the Western district of this commonwealth shall commence, for the year A. D. one thousand eight hundred and seventy-one, and annually thereafter, on the first Monday of October, and shall continue not less than eight weeks, if so long a time be necessary for the hearing of causes ready for argument and the disposition of the business of the district.

Term for western district, when to commence.

How long to continue.

SECTION 2. That the return day for the Northern district hereafter shall be the third Monday of September; and the causes from said Northern district shall be heard at such time and place as the judges of the supreme court may assign.

Return day for Northern district, fixed. When and where causes to be heard.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 239.

An Act

To fix the number of senators and representatives, and to form the state into districts, in pursuance of the provisions of the constitution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Senatorial districts.

That until the next septennial enumeration of the taxable inhabitants, and apportionment thereon, the senate shall consist of thirty-three members, and be apportioned as follows, to wit:

First.—The First, Second, Third, Fourth, Seventh, Eighth and Twenty-sixth wards of the city of Philadelphia shall compose the First district and elect one senator.

Second.—The Ninth, Tenth, Thirteenth, Fourteenth, Fifteenth and Twenty-ninth wards of the city of Philadelphia shall compose the Second district and elect one senator.

Third.—The Fifth, Sixth, Eleventh, Twelfth, Sixteenth, Seventeenth and Eighteenth wards of the city of Philadelphia shall compose the Third district and elect one senator.

Fourth.—The Nineteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-seventh and Twenty-eighth wards of the city of Philadelphia shall compose the Fourth district and elect one senator.

Fifth.—The counties of Chester and Delaware shall compose the Fifth district and elect one senator.

Sixth.—The county of Montgomery shall compose the Sixth district and elect one senator.

Seventh.—The counties of Bucks and Northampton shall compose the Seventh district and elect one senator.

Eighth.—The county of Berks shall compose the Eighth district and elect one senator.

Ninth.—The county of Lancaster shall compose the Ninth district and elect one senator.

Tenth.—The county of Schuylkill shall compose the Tenth district and elect one senator.

Eleventh.—The counties of Lehigh and Carbon shall compose the Eleventh district and elect one senator.

Twelfth.—The counties of Dauphin and Lebanon shall compose the twelfth district and elect one senator.

Thirteenth.—The counties of Luzerne, Monroe and Pike shall compose the Thirteenth district and elect two senators.

Fourteenth.—The counties of Bradford, Susquehanna, Wayne and Wyoming shall compose the Fourteenth district and elect one senator.

Fifteenth.—The counties of Columbia, Lycoming, Montour and Sullivan shall compose the Fifteenth district and elect one senator.

Sixteenth.—The counties of Cameron, M'Kean, Potter and Tioga shall compose the Sixteenth district and elect one senator.

Seventeenth.—The counties of Snyder, Perry, Northumberland and Union shall compose the Seventeenth district and elect one senator.

Eighteenth.—The counties of Clinton, Cambria, Clearfield and Elk shall compose the Eighteenth district and elect one senator.

Nineteenth.—The counties of Cumberland and Franklin shall compose the Nineteenth district and elect one senator.

Twentieth.—The counties of Adams and York shall compose the Twentieth district and elect one senator.

Twenty-first.—The counties of Bedford, Fulton, Blair and Somerset shall compose the Twenty-first district and elect one senator.

Twenty-second.—The counties of Centre, Juniata, Mifflin and Huntingdon shall compose the Twenty-second district and elect one senator.

Twenty-third.—The county of Allegheny shall compose the Twenty-third district and elect three senators.

Twenty-fourth.—The counties of Indiana and Westmoreland shall compose the Twenty-fourth district and elect one senator.

Twenty-fifth.—The counties of Fayette and Greene shall compose the Twenty-fifth district and elect one senator.

Twenty-sixth.—The counties of Beaver, Butler and Washington shall compose the Twenty-sixth district and elect one senator.

Twenty-seventh.—The counties of Clarion, Armstrong, Jefferson and Forest shall compose the Twenty-seventh district and elect one senator.

Twenty-eighth.—The counties of Lawrence, Mercer and Venango shall compose the Twenty-eighth district and elect one senator.

Twenty-ninth.—The county of Crawford shall compose the Twenty-ninth district and elect one senator.

Thirtieth.—The counties of Erie and Warren shall compose the Thirtieth district and elect one senator.

SECTION 2. In those senatorial districts which are composed of more than one county, the judges of the district elections in each county, after having formed a return of the whole election within such county, in such manner as is or may be provided by law, shall send the same by one of their number to the place hereinafter mentioned, within the district of which such county is a part, where the judges so met shall cast up the several county returns, and execute, under their hands and seals, one general and true return of the whole district, to wit:

The judges of the Fifth district shall meet at the court house in the borough of Media, in the county of Delaware.

The judges of the Seventh district shall meet at the court house in the borough of Easton, in the county of Northampton.

Meetings of re-
turn judges.

The judges of the Eleventh district shall meet at the court house in the city of Allentown, in the county of Lehigh.

The judges of the Twelfth district shall meet at the court house in the city of Harrisburg, in the county of Dauphin.

The judges of the Thirteenth district shall meet at the court house in the borough of Wilkesbarre, in the county of Luzerne.

The judges of the Fourteenth district shall meet at the court house in the borough of Tunkhannock, in the county of Wyoming.

The judges of the Fifteenth district shall meet at the court house in the city of Williamsport, in the county of Lycoming.

The judges of the Sixteenth district shall meet in the borough of Coudersport, in the county of Potter.

The judges of the Seventeenth district shall meet at the court house in the borough of Lewisburg, in the county of Union.

The judges of the Eighteenth district shall meet at the court house in the borough of Clearfield, in the county of Clearfield.

The judges of the Nineteenth district shall meet at the court house in the borough of Carlisle, in the county of Cumberland.

The judges of the Twentieth district shall meet at the court house in the borough of York, in the county of York.

The judges of the Twenty-first district shall meet at the court house in the borough of Hollidaysburg, in the county of Blair.

The judges of the Twenty-second district shall meet at the court house in the borough of Huntingdon, in the county of Huntingdon.

The judges of the Twenty-fourth district shall meet at the court house in Indiana, in the county of Indiana.

The judges of the Twenty-fifth district shall meet at the court house in the borough of Uniontown, in the county of Fayette.

The judges of the Twenty-sixth district shall meet at the court house in the borough of Beaver, in the county of Beaver.

The judges of the Twenty-seventh district shall meet at the court house in the borough of Clarion, in the county of Clarion.

The judges of the Twenty-eighth district shall meet at the court house in the borough of Mercer, in the county of Mercer.

The judges of the Twenty-ninth district shall meet at the court house in the borough of Meadville, in the county of Crawford.

The judges of the Thirtieth district shall meet at the court house in the city of Erie.

Representative districts

SECTION 3. That until the next septennial enumeration of taxables and apportionment thereon made by law, the house of representatives shall consist of one hundred members, and be apportioned as follows: The city of Philadelphia shall be divided into eighteen districts, namely:

First.—The First ward and the First, Second, Third, Fourth, Fifth, Sixth, Ninth, Tenth, Twelfth, Thirteenth, Fifteenth,

Sixteenth and Seventeenth divisions of the Twenty-sixth ward shall compose the First district and elect one member.

Second.—The Second ward and the First and Second divisions of the Third ward shall compose the Second district and elect one member.

Third.—The Fourth ward, the Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth divisions of the Third ward shall compose the Third district and elect one member.

Fourth.—The Seventh ward and Seventh, Eighth, Eleventh and Fourteenth divisions of the Twenty-sixth ward shall compose the Fourth district and elect one member.

Fifth.—The Fifth and Sixth wards shall compose the Fifth district and elect one member.

Sixth.—The Eighth and Ninth wards, except the Eighth division of the Ninth ward, shall compose the Sixth district and elect one member.

Seventh.—The Tenth ward and Eighth division of the Ninth ward, and First division of the Fifteenth ward, and the First and Second divisions of the Fourteenth ward, shall compose the Seventh district and elect one member.

Eighth.—The Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, Eleventh, Twelfth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth and Twenty-first divisions of the Fifteenth ward shall compose the Eighth district and elect one member.

Ninth.—The Thirteenth ward and Fourteenth ward, except the First and Second divisions, shall compose the Ninth district and elect one member.

Tenth.—The Eleventh and Twelfth wards shall compose the Tenth district and elect one member.

Eleventh.—The Twenty-ninth ward, the Twenty-eighth ward, and the Eighth and Thirteenth divisions of the Fifteenth ward, shall compose the Eleventh district and elect one member.

Twelfth.—The Sixteenth ward and Fourth, Fifth, Eighth and Tenth divisions of the Seventeenth ward, and the First and Second divisions of the Twentieth ward, shall compose the Twelfth district and elect one member.

Thirteenth.—The Third, Fourth, Fifth, Sixth, Seventh, Eleventh, Twelfth, Thirteenth, Fourteenth and Nineteenth divisions of the Twentieth ward, and the Sixth, Seventh and Ninth divisions of the Seventeenth ward, shall compose the Thirteenth district and elect one member.

Fourteenth.—The Eighteenth ward, the Fourth division of the Twenty-fifth ward, the First, Second and Third divisions of the Seventeenth ward, shall compose the Fourteenth district and elect one member.

Fifteenth.—The First, Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth divisions of the Nineteenth ward, and the Eighth division of the Twentieth ward, shall compose the Fifteenth district and elect one member.

Sixteenth.—The Twenty-second and the Twenty-first wards shall compose the Sixteenth district and elect one member.

Seventeenth.—The Twenty-third ward, and First, Second, Third, Fifth, Sixth, Seventh and Eighth divisions of the Twenty-fifth ward, and the Eighth, Twentieth and Twenty-first divisions of the Nineteenth ward, shall compose the Seventeenth district and elect one member.

Eighteenth.—The Twenty-fourth and Twenty-seventh wards shall compose the Eighteenth district and elect one member.

The county of Adams shall be entitled to and elect one member.

The county of Franklin to one member.

The county of Armstrong to one member.

The counties of Beaver, Butler and Washington to four members.

The counties of Bedford and Fulton to one member.

The county of Berks to three members.

The county of Blair to one member.

The county of Bradford to two members.

The county of Bucks to two members.

The county of Cambria to one member.

The counties of Potter and M'Kean to one member.

The counties of Carbon and Monroe to one member.

The county of Allegheny, outside of the city of Pittsburg, to five members.

The First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Fourteenth wards of the city of Pittsburg shall constitute one district and elect one member.

The Tenth, Eleventh, Twelfth, Thirteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, Twenty-second and Twenty-third wards of the city of Pittsburg shall constitute one district and elect one member.

The county of Chester to two members.

The county of Clearfield to one member.

The county of Centre to one member.

The counties of Clarion and Forest to one member.

The counties of Clinton, Lycoming and Sullivan to two members.

The county of Columbia to one member.

The county of Crawford to two members.

The county of Cumberland to one member.

The counties of Dauphin and Perry to three members.

The county of Delaware to one member.

The county of Erie to two members.

The counties of Cameron, Elk and Jefferson to one member.

The county of Fayette to one member.

The county of Huntingdon to one member.

The county of Indiana to one member.

The counties of Juniata and Mifflin to one member.

The county of Lancaster to three members.

The county of Lawrence to one member.

The county of Lebanon to one member.

The county of Lehigh to two members.

The county of Luzerne to four members.

The county of Montgomery to two members.

The county of Mercer to one member.

The county of Northampton to two members.

The counties of Northumberland and Montour to two members.

The counties of Pike and Wayne to one member.

The county of Schuylkill to three members.

The counties of Snyder and Union to one member.

The counties of Susquehanna and Wyoming to two members.

The county of Tioga to one member.

The county of Venango to one member.

The county of Warren to one member.

The county of Westmoreland to two members.

The county of York to two members.

The county of Greene to one member.

The county of Somerset to one member.

SECTION 4. The senators and representatives shall be chosen Mode of election by the qualified citizens of the city of Philadelphia and of the several counties of this commonwealth, at the time, places and in the manner prescribed by the constitution and laws of this commonwealth.

SECTION 5. The senators shall be chosen in the several districts at the following times, to wit: Times of choosing senators.

In the First district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Second district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Third district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Fourth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Fifth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Sixth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Seventh district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Eighth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Ninth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Tenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Eleventh district one senator shall be chosen at a

general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Twelfth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Thirteenth district two senators shall be chosen, one at a general election, in the year of our Lord one thousand eight hundred and seventy-one, and the other thereof at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Fourteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Fifteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Sixteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Seventeenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred seventy-three.

In the Eighteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Nineteenth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Twentieth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Twenty-first district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-second district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Twenty-third district three senators shall be chosen, two at a general election, in the year of our Lord one thousand eight hundred and seventy-one, and one senator at a general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Twenty-fourth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-one.

In the Twenty-fifth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-sixth district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-seventh district one senator shall be chosen at a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-eighth district one senator shall be chosen at

a general election, in the year of our Lord one thousand eight hundred and seventy-two.

In the Twenty-ninth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-three.

In the Thirtieth district one senator shall be chosen at the general election, in the year of our Lord one thousand eight hundred and seventy-two.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

We do certify that the bill entitled "An Act to fix the number of senators and representatives, and to form the state into districts, in pursuance of the provisions of the constitution," was presented to the governor on the twenty-fifth day of April, one thousand eight hundred and seventy-one, and was not returned within ten days, (Sundays excepted,) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

JAMES L. SELFRIDGE,

Clerk of the House of Representatives.

J. ZIEGLER,

Clerk of the Senate.

HARRISBURG, *May 6, 1871.*

No. 240.

A Supplement

To an act, entitled "An Act to fix the number of senators and representatives and to form the state into districts, in pursuance of the constitution," which became a law on the sixth day of May, Anno Domini one thousand eight hundred and seventy-one."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That in those representative districts which are composed of more than one county, the judges of the election district in each county, after having formed a return of the whole election within such county, in such manner as is or may be provided by law, shall send the same, by one of their number, to the place hereinafter mentioned, within the district of which such county is a part, when the judges so met shall cast up the several county returns and execute, under their hands and

Meetings of re-
turn judges in
districts com-
posed of more
than one
county.

scals, one general and true return of the whole district, to wit:
 The judges of the counties of Carbon and Monroe at the court house in the borough of Mauch Chunk, in the county of Carbon.

The judges of the counties of Pike and Wayne at the court house in Milford, in the county of Pike.

The judges of the counties of Susquehanna and Wyoming at the court house in Tunkhannock, in the county of Wyoming.

The judges of the counties of Clinton, Lycoming and Sullivan at the court house in Williamsport, in the county of Lycoming.

The judges of the counties of Union and Snyder at the court house in Lewisburg, in the county of Union.

The judges of the counties of Juniata and Mifflin at the court house in Mifflintown, in the county of Juniata.

The judges of the counties of Dauphin and Perry at the court house in Harrisburg, in the county of Dauphin.

The judges of the counties of Potter and M'Kean at the court house in Coudersport, in the county of Potter.

The judges of the counties of Jefferson, Elk and Cameron at the court house in Ridgway, in the county of Elk.

The judges of the counties of Forest and Clarion at the court house in Clarion, in the county of Clarion.

The judges of the counties of Beaver, Butler and Washington at the court house in Beaver, in the county of Beaver.

The judges of the counties of Northumberland and Montour at the court house in Danville, in the county of Montour.

The judges of the counties of Bedford and Fulton at the court house in Bedford, in the county of Bedford.

Time, places and manner of choosing senators and representatives.

SECTION 2. The senators and representatives shall be chosen by the qualified citizens of the city of Philadelphia and the city of Pittsburg, and of the several counties of this commonwealth, at the time, places and in the manner prescribed by the constitution and laws of this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 241.

A Further Supplement

To an act directing the entry of liens for the principal and interest due the commonwealth for lands held by virtue of location or other office titles, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of property shall have full and discretionary power as to the time of entering suits and the number thereof, to be brought for the collection of the liens against unpatented lands; and the attorney general shall proceed, under the seventh section of the said act to which this is a further supplement, when authorized to do so by the said board: *Provided,* That no interest shall be charged on patent or other fees.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 242.

An Act

For the collection of mineral statistics.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the information now required to be furnished to the auditor general by the several railroad and canal companies of this commonwealth, each of said railroad and canal companies, when their railroad or canal passes through any of the coal regions of the state, shall report for the year one thousand eight hundred and seventy-one, and annually as soon after the first day of January in each year, or the close of the fiscal year of said companies, as the information

Railroad and canal companies, whose lines pass through coal regions, to report to auditor general.

Report to state quantity of coal received for transportation, &c.

Slack-water navigation companies to make returns.

Railroad companies to report quantity of coal purchased, &c.

Companies, firms, &c., to furnish auditor general with information.

On receiving reports, &c., auditor general to collate same and make report.

To report number of accidents in mines in counties where there are no mine inspectors.

To collect statistics and make report as to other mineral productions.

can be procured under oath of one of the officers of said company, to the auditor general, the quantity of coal of each kind, and of coke in tons of two thousand pounds each, received for transportation at each station on every such railroad, and at each coal shipping point on said canal, distinguishing in said report the quantities received direct from the mines from that received from other railroad or canals, giving the name of said connecting railroad or canals in such a manner that the amount of the production of coal on the line of said railroad or canal may be correctly ascertained; the Monongahela slack-water navigation company, and all other slack-water navigation companies, engaged in conveying coal or coke, are also hereby required to make returns, in the same manner as is hereinbefore required of railroad and canal companies.

SECTION 2. It shall also be the duty of each of said railroad companies to report the quantity of coal purchased or mined for their own use in this state by them during each year, and which was produced along the line of said railroad, and stating at what place or places the same was mined, and which was not included in the reports of coal received for transportation before mentioned of said railroad, or of any other railroad or canal.

SECTION 3. It shall be the duty of all coal mining companies or firms and individuals working mines, and of all state and county officers, to furnish to the auditor general, in answer to his letters or circulars, all information in their possession in regard to the quantity of coal mined that is sent to market direct by any navigable river, or used by any rolling mill, blast furnace, salt works or otherwise, and which is not transported on any railroad, canal or slack-water navigation company, and also to inform him when and of whom correct information as to the coal production of any such locality can be procured; and further, to inform him of all accidents in mines in counties where there is no mine inspector appointed by law, and how the same was caused.

SECTION 4. It shall be the duty of the auditor general, on receiving said reports, and such other authentic information as he shall collect, to collate said reports and information, and make a report, giving the results only in tabular form, showing the quantity of coal mined during each year in each county, and in each important coal producing region in a conspicuous form, separating the several kinds of coal into anthracite, semi-bituminous, bituminous, and splint or block coal, suitable for smelting iron, giving also from time to time the statistics of each region, from the beginning of its coal trade so far as it can be ascertained; he shall also specially report the number of accidents resulting in death or injury, in coal mines in those counties where there is no mine inspector, classifying them according to the cause thereof, whether occasioned by fire, explosions, falls of roof or coal in shafts or slopes, or other causes under ground or at the surface.

SECTION 5. The auditor general shall also, in the same manner, collect statistics, collate, classify and report, at the same time, the quantities of petroleum, salt, iron ore, zinc and

other mineral productions of the commonwealth; also the pig iron and merchant or wrought iron manufactured in the commonwealth.

SECTION 6. Eight thousand copies of said report of the auditor general, together with his suggestions on the workings of existing laws and his propositions as to new enactments, shall be published for distribution, annually, as soon as it is prepared, with the title of the Mineral Statistics of Pennsylvania; and one copy thereof shall be sent by mail, by the auditor general, to each person who shall have furnished him with information as aforesaid, and the balance shall be delivered to the legislature for distribution.

8,000 copies of report to be printed.

How to be disposed of.

SECTION 7. Any railroad or canal, or slack-water navigation company, or coal mining company, firm or individual engaged in mining, or any county officer who shall neglect or refuse, for thirty days, to make report or give the information required by this act, shall be liable to a penalty of one hundred dollars, to be recovered by order of the auditor general, in an action of debt in which the commonwealth shall be plaintiff, by the district attorney of the proper county, the one-half thereof to go to said district attorney and the other half for the use of the poor of the proper poor district.

Penalty on companies, firms, &c., for neglecting to make report.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 243.

An Act

For the re-draining of wet and swampy lands.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any contiguous swampy or wet lands, belonging to several owners disjointly, and that have been once drained, and the drain or drains, or any part thereof, are not properly opened and in good condition, shall be re-drained, under the following regulations, et cetera:

Lands to be re-drained in certain cases.

SECTION 2. Upon a petition of one or more of said owner or owners of such swampy or wet lands, the court of quarter sessions of the county shall appoint three disinterested persons, who shall be commissioners, with power to view the wet

Court to appoint commissioners to view lands.

Commissioners to report to court if re-draining is practicable.

lands described in the petition, and if in their judgment to re-drain the same shall be practicable, they shall so make their report to the said court, at its next sitting, setting forth therein the names of the owners through whose land the said drain or drains need to be re-opened, and attach thereto a draft of the drain or drains to be re-opened with the dimensions thereof.

Upon presentation of report, court to order notice to be served on land owners.

SECTION 3. Upon the commissioners' report being presented to the court, it shall immediately order a written notice to be served, by a constable of the county, personally, upon each land owner, if within the commonwealth of Pennsylvania, mentioned in said report, through whose land the drain or drains need to be re-opened, ordering him or them to open the same through his or their land, at his or their own expense, according to the draft attached to the said commissioners' report, within a given time, to be fixed by the court, which shall not exceed sixty days, and to fail not so to do, under the penalty which may ensue: *Provided*, Such sixty days shall not include the months of December, January and February.

Constable who serves notices to make returns to clerk of quarter sessions.

SECTION 4. And it shall be the duty of the said constable, within ten days after the expiration of the time so set by the court, to make returns to the clerk of the court of quarter sessions of the county of the service of said notice, and the compliance or non-compliance with its orders, and if in such return he shall state that its orders have not been complied with, then a penalty of ten dollars a day, to be computed from the filing of the constable's said return with the clerk of quarter sessions, shall be imposed, until the said drain or drains shall be re-opened as aforesaid, upon the non-complying owner or owners of the land or lands mentioned in the constable's return, which shall be recoverable, in the name of the commonwealth, by any one or more of the said petitioning land owners, who will sue therefor, whenever and as often as any fifty dollars of such penalty may become due, before a justice of the peace, as debts of like amount are recoverable at law, with costs of suit, and one-half thereof shall be paid to the person or persons suing for and recovering the same, and the residue shall be paid into the treasury of the county, for the use of the directors of the poor.

Penalty on land owners for failing to re-open drains.

By whom costs to be borne.

SECTION 5. The costs of proceeding under this act shall be borne by the party or parties through whose land the drain or drains may be so re-opened; that all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 244.

An Act

To confer additional powers of amendment upon the courts of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions pending or hereafter to be brought in the several courts of this commonwealth, said courts shall have power, in any stage of the proceedings, to permit an amendment or change in the form of action, if the same shall be necessary for a proper decision of the cause upon its merits; the party applying to pay all costs up to the time of amendment, and the cause to be continued to the next court if desired by the adverse party.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 245.

An Act

Relating to companies incorporated under the general mining laws of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of the act approved April twelfth, one thousand eight hundred and sixty-seven, entitled "An Act authorizing the reduction of the capital stock of oil companies, and the equalization of the taxes relative thereto," be and the same are hereby extended and made applicable to all companies incorporated under the provisions of the act approved April twenty-first, one thousand eight hundred and fifty-four, entitled "An Act to enable joint tenants, tenants in common and adjoining owners of mineral

Certain provisions extended to all companies incorporated under act of 21st of April, 1854.

lands in this commonwealth, to manage and develop the same," and the supplements thereto.

Directors of companies, incorporated under certain act, not to sell mines, &c., without consent of stockholders.

SECTION 2. That the directors of any mining company incorporated under an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved July eighteenth, Anno Domini one thousand eight hundred and sixty-three, shall not have power to sell, convey or lease any mine or mines, held by said company, without having first obtained the written consent of the stockholders owning the majority of the stock; and so much of the provisions of any act, or the supplement to any act, as are inconsistent herewith, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 246.

An Act

Relative to the opinions of the supreme court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of the act approved the sixth day of March, Anno Domini one thousand eight hundred and twelve, entitled "An additional supplement to an act, entitled 'An Act to alter the judiciary system of the commonwealth,'" be and the same is hereby repealed; and it shall be the duty of the judges of the supreme court to give their opinion in writing, and file the same of record, upon every point on which a judgment of reversal shall be entered in said court, and in such other case as the majority of the said judges shall deem of sufficient importance to require their opinion to be reduced to writing and filed of record.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 247.

A Supplement

To an act, entitled "An Act to revise, amend and consolidate the laws taxing corporations, brokers and bankers," approved May first, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the fifteenth section of the act to which this is a supplement shall not be construed to apply to loan or building associations incorporated by the courts of common pleas, in accordance with the provisions of the act approved April twelfth, Anno Domini one thousand eight hundred and fifty-nine, and the supplements thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 248.

An Act

Exempting members of the National Guard of Pennsylvania from jury service.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of a supplement, approved March thirty-first, Anno Domini one thousand eight hundred and seventy, to an act, entitled "An Act to establish a mode of selecting and drawing jurors in and for the city of Philadelphia," approved April twentieth, Anno Domini one thousand eight hundred and fifty-eight, relative to exemption from service as jurors, shall not be so construed as to extend to any commissioned officer, non-commissioned officer, musician or private of the National Guard of Pennsylvania who has uniformed himself, or shall hereafter uniform himself, according to the provisions of the militia laws of this commonwealth,

and who shall faithfully serve as a member of any organization of said National Guard; but that each and every such person shall, on presentation to the court the certificate of his commanding officer, if a non-commissioned officer or private, that he is an equipped, active member in good standing, or of his commission, if an officer then in commission, be exempt from serving as a juror, if he so desires, during the period of such military service.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 249.

An Act

Relative to actions of replevin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all actions of replevin now pending or hereafter brought to recover timber, lumber, coal or other property severed from realty, the plaintiff shall be entitled to recover, notwithstanding the fact that the title to the land from which said property was severed may be in dispute: *Provided,* Said plaintiff shows title in himself at the time of the severance.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 250.

A Supplement

To an act relating to assignees for the benefit of creditors and other trustees, approved June fourteenth, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter any trustee, guardian, executor or administrator appointed by any court in this commonwealth, or by virtue of any last will or testament, may lawfully execute the duties of his trust, whether a resident of the county in which the trust was created, or in which the decedent had his domicile or not; but the court or officers having jurisdiction of the accounts of any such trustee may, in its discretion, appoint or refuse to appoint as trustee, guardian or administrator, any persons who are not residents of the state, requiring in all cases of a non-resident of the state a bond with sufficient sureties conditioned for the faithful discharge of the duties of the trust: *Provided,* That no person residing out of the state shall be appointed without the consent of the proper court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 251.

A Further Supplement

To an act, entitled "An Act relating to executors and administrators," approved twenty-fourth February, one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any personal property, or the increase, profits or dividends thereof, has been or shall hereafter be bequeathed

to any person, for life or for a term of years, or for any other limited period, or upon a condition or contingency, the executor or executors, administrator with the will annexed, or trustee or trustees under such will, as the case may be, shall deliver the property so bequeathed to the person entitled thereto, upon such person giving security, in the orphans' court having jurisdiction of the accounts, in such form and amount as, in the judgment of the court, will sufficiently secure the interest of the person or persons entitled in remainder, whenever the same shall accrue or vest in possession; and any married woman availing herself of the benefits of this act shall have power, as a *feme sole*, to bind her separate estate and property, by any obligation given by her, as security under this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 252.

An Act

Relative to the duties charged upon sales of foreign merchandise by auctioneers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of December next the tax or duty payable by auctioneers upon sales of goods, wares or merchandise of foreign growth or manufacture, by virtue of any law of this commonwealth, shall be no greater than upon similar sales of goods, wares or merchandise of American growth or manufacture; and all former laws or parts of laws at variance with this act shall be and are hereby repealed.

SECTION 2. On and after December first next the amounts to be paid for commissions, for one year, as auctioneers in this commonwealth, shall be as follows, viz :

For a commission of the first class, three thousand dollars.

For a commission of the second class, two thousand dollars.

For a commission of the third class, twelve hundred and fifty dollars.

Tax upon sales
of foreign mer-
chandise by
auctioneers.

Amount to be
paid for com-
missions.

For a commission of the fourth class, seven hundred and fifty dollars.

For a commission of the fifth class, two hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 253.

An Act

To prohibit the sale of academic degrees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any university, college or other institutions incorporated under the laws of this state, with power to grant academic degrees, honorary or otherwise, to confer the same upon any person or persons upon the payment, or promise of payment, by any person, in consideration thereof; and any person knowingly signing a diploma, or other instrument of writing purporting to confer an academic degree, when such consideration has been paid, or promised to be paid, shall be guilty of a misdemeanor, and on conviction thereof be sentenced to pay a fine not exceeding five hundred dollars, and to undergo an imprisonment not exceeding six months, or both, or either, at the discretion of the court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 254.

An Act

Relating to state roads, giving the courts power to fix their width.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where the width of a state road, laid out under and by virtue of the provisions of an act of assembly authorizing the same, has not been fixed and determined either by the action of the legislature or by the courts of the proper county wherein the report of the commissioners appointed to view and lay out has been presented and ordered to be filed, the several courts of quarter sessions of this commonwealth are hereby authorized and empowered, in their respective counties, upon the presentation of a petition for that purpose, to fix the width of all such roads; such width not to exceed fifty feet in any case.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 255.

An Act

To authorize the liquidation of damages sustained by citizens of Pennsylvania during the late rebellion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the claims of the citizens of the counties of York, Cumberland, Adams, Franklin, Fulton, Bedford and Perry, for extraordinary losses sustained during the rebellion, as adjudicated under several acts of assembly, approved sixteenth April, Anno Domini one thousand eight hundred and sixty-two, twenty-second April, Anno Domini one thousand eight hundred and sixty-three, fifteenth February, Anno Domini one

Claims of certain counties to be revised by commissioners.

thousand eight hundred and sixty-six, and ninth April, Anno Domini one thousand eight hundred and sixty-eight, be subjected to a careful revision by two commissioners in the county of York, two in the county of Franklin, two in the county of Adams, two in the counties of Cumberland and Perry, and two in the counties of Fulton and Bedford, to be appointed by the president judges of the courts of common pleas of said several counties; and the governor shall appoint competent counsel to represent the government in the revision of said claims before the several commissions; and said commissions shall re-examine and re-adjudicate all of said claims, and may reject or diminish any now on file as equity may require, but not increase the amount of any, excepting the claim of the German Reformed church, represented by S. R. Fisher and company, which shall be equitably adjusted; and any claims which may have been assigned or transferred by the original claimant, the assignee or present owner of the same shall be required to make satisfactory proof of the amount actually paid for the claim; and the amount so paid shall be awarded and no more; and if any owner of an assigned claim shall fail to make such proof satisfactorily, the claim shall be rejected, and as said commissioners re-adjudicate said claim, they shall endorse their approval thereon for the amount allowed, and return the claims to the auditor general.

Number of commissioners, and how appointed.

Governor to appoint counsel to represent government.

Duty of commissioners.

Claims assigned, relative to.

SECTION 2. The state shall issue to each claimant, or to his, her or their proper representative, a certificate, or certificates, to the amount allowed on each claim, in the following form:

State to issue certificates to claimants.

Commonwealth of Pennsylvania—Certificate of adjudicated claim for war damages.

This is to certify that _____ has on file in the office of the auditor general a duly approved and registered claim for the sum of _____ dollars, as adjudicated under the act, entitled "An Act to authorize the liquidation of damages sustained by citizens of Pennsylvania during the late rebellion," and payable only when said claims shall be paid by the United States government. In testimony whereof we have hereunto set our hands, and the seal of the state, this _____ day of _____, A. D. 1871.

Form.

Which certificates shall be signed by the governor and state treasurer, and be registered and countersigned by the auditor general.

By whom to be signed, &c.

SECTION 3. It shall be the duty of the governor of the state to demand the payment of said claims by the general government, and also the payment of the amount heretofore paid by the state on said claims, and to appoint such agents for the purpose as may be deemed necessary; and any appropriation made by congress to said claims shall be wholly applied to the certificates authorized by the second section of this act, as congress may direct, until the same shall be paid in full: *Provided*, That this act shall not be construed to make the state in anywise responsible for or on account of said certificates.

Governor to demand payment of claims from general government.

To appoint agents.

Appropriations by congress to be applied to certificates.

State not responsible for certificates.

SECTION 4. That the commissioners and counsel authorized to be appointed by the first section of this act shall be paid

Compensation of commissioners and counsel.

eight dollars for each day, not exceeding sixty days, actually employed in pursuance of their appointment; and their compensation, together with the necessary expenses of the said certificates, shall be audited in the usual manner, and be paid on the warrant of the governor, out of any money in the treasury not otherwise appropriated.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem.*

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 256.

A Further Supplement

To an act relating to orphans' court, approved the twenty-ninth day of March, one thousand eight hundred and thirty-two, regulating the sale of real estate by executors, administrators or trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Court may order costs to be paid on confirmation of sales under proceedings in partition.

That in all cases of sales of real estate, in proceedings on writs of partition and valuation in the orphans' court, it shall and may be lawful for the court to order and decree that the costs and expenses upon said proceedings, including a reasonable compensation to the executor, administrator or trustee, by whom said sales shall be made, shall be paid, on the confirmation of such sale, by the court; and that the purchaser or purchasers shall enter into recognizance in the orphans' court, with sufficient surety, to be approved of by said court, for the payment of the balance of the purchase money to the widow and heirs, or legatees, who may be entitled to the same.

May order purchasers to enter into recognizance.

SECTION 2. Before any suit or action shall be commenced on any recognizance entered into as aforesaid, the person or persons entitled to receive the money secured thereby, shall respectively give sufficient real or personal security, to be approved of by the orphans' court having jurisdiction, or a judge of said court, when the court is not in session, with condition, that if any debt or demand shall be afterward recovered against the estate of decedent or otherwise be duly made to appear, they will respectively refund the rateable part of such demand, and the costs and charges attending the recovery of the same, so far as such real estate would have been liable to such demand if it had remained unsold;

Before suit commenced in recognizance, persons entitled to money to give refunding bonds.

but if the person or persons entitled to receive the same is or are unable to give the security aforesaid, then the money shall be put at interest, as directed in the forty-first section of the act of February twenty-fourth, one thousand eight hundred and thirty-four, entitled "An Act relating to executors and administrators." Otherwise their shares to be invested.

SECTION 3. The recognizance aforesaid shall be a lien on the real estate so as aforesaid sold, until fully paid or satisfied. Recognizance a lien until paid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 257.

An Act

For the protection of salmon, black bass and other food fishes newly introduced, or to be introduced into the rivers Delaware and Susquehanna and their tributaries; for the protection also of closes against unlawful fishing, and to prevent the introduction of predatory fishes into trout streams, and for other germane purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be unlawful for any person or persons to take, catch or kill, by any means or device whatsoever, any salmon or *salmo*, *salar* or *gristes salmoides*, commonly known as black bass of the south, or southern bass, in the Delaware or the Susquehanna rivers, where said streams are under the jurisdiction of this state, or in any of their Pennsylvania tributaries, until the first day of August, Anno Domini one thousand eight hundred and seventy-three: *Provided nevertheless,* That the accidental taking of salmon or *gristes salmoides*, commonly called black bass of the south, shall not be construed to be a violation of this act, if the same shall be immediately returned alive into said rivers and tributaries. Catching salmon or black bass prohibited for certain period.

SECTION 2. That the fact of any person or persons having such salmon, *salmo*, *salar* or *gristes salmoides*, commonly called black bass of the south, in their possession, in any or either of the counties bordering upon the said Delaware or Susquehanna rivers, or their tributaries, shall be accepted as Proviso. Possession of said fishes, evidence of violation of act.

prima facie evidence of their having been taken from the said rivers or their tributaries, in violation of the provisions of the first section of this act: *Provided*, That such fishes planted and retained in private ponds shall be at the disposal of their owners.

Proviso.

Not to prevent stocking of other waters.

SECTION 3. That nothing in this act, or in any of the sections of this act contained, shall be so construed as to prevent the commissioner or commissioners of fisheries of states riparian to the said streams, from obtaining fishes aforesaid from the said streams, for the purpose of stocking other waters within the said states.

Penalty for violating sections one and two.

SECTION 4. Any person or persons violating any of the provisions contained in either of the first two sections of this act, shall, upon conviction thereof before any justice of the peace, pay a fine of five dollars for each and every fish so taken or had in possession, without being able to prove that they were not taken from the said rivers or streams; one-half of the said fine to go the prosecutor, and the other half to the school directors of the school district in which the offence shall have been committed, or presumed to be committed, by their being had in possession, for school purpose only, and in default of the payment of said fine to undergo an imprisonment in the jail of the county in which they shall have been convicted, for a term of ten days; the said fines to be sued for and recovered as debts of like amount are by law recoverable.

Taking Susquehanna salmon, pike, perch or jack salmon, during spawning time, prohibited.

SECTION 5. The species commonly known as Susquehanna salmon, pike, perch, jack salmon, and by the scientific name of *stigostedion americanum*, shall henceforth not be taken in any of the streams meant to be included in this act, during their spawning time, that is to say between the first of February and the first of June in any year; and the mode of proof of such taking, and the penalty for the same, shall be the same as provided for the case of the salmon and the black bass in this act.

Proof of taking and penalty.

Proofs and penalties to apply to taking other fishes newly introduced.

SECTION 6. And the said proofs and penalties, in the preceding sections of this act, shall apply equally to the taking of any newly introduced and approved food fishes, not previously known as inhabiting the said streams or any of their tributaries, including the Schuylkill river, for a period of three years from the said introduction of planting: *Provided*, That citizens of this state introducing or planting the said food fishes alive in the said waters at their own expense, or the fish commission of the state introducing or planting such food fishes at the public expense, shall have given public notice of the fact, its day and date, with reference to this act, in one or more public journals of the county within the jurisdiction of which the planting shall have taken place, by advertisement or gratuitous notice, for the length of time ordinarily deemed sufficient legal public notice in such county; and in such notice the genus and species of the fish planted shall be intelligibly described, so that there can be no mistake as to its identity; its accepted scientific name or names, in the technical as well as the English language, to be deemed and taken however as sufficient: *And provided*, Such plant-

Persons introducing other fishes, to give notice of fact.

ing shall be approved in writing by the commissioner of inland fisheries of the state, or in case such commission shall not exist, then by any resident judge of any of the courts of the said county.

Planting of fishes to be approved by commissioner of fisheries.

SECTION 7. No person shall place in any fresh water stream, lake or pond, without the consent of the owner, or in shore, waters and estuaries, with the rivers debouching into them, any lime or other deleterious substance with the intent to injure fish, or any drug or medicated bait with intent thereby to poison or catch fish, nor place in a pond or lake stocked and inhabited by trout or black bass any drug or other deleterious substance, with intent to destroy such trout or bass, nor place in any fresh water pond or stream stocked with brook trout, any pike, pickerel, black bass or rock bass or other pisciverous fish, (salmon excepted,) without the consent of the owner or owners of such lands upon which such pond or stream is situated; any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall in addition thereto, and in addition to any damage he may have done, be liable to a penalty of one hundred dollars.

Persons prohibited from placing deleterious substances in fresh water streams, &c.

Penalty for violating section.

SECTION 8. No person shall at any time, with intent so to do, catch any speckled brook trout, or any speckled river trout, with any device save only with a hook and line, and no person shall catch any such trout, or have any such trout in his or her possession save only during the months of April, May, June and July, and the first fifteen days of August, under a penalty of five dollars for each trout so caught or had in his possession; but this section shall not prevent any person or corporation from catching trout in water owned by them, or upon their premises, to stock other waters, in any manner or at any time.

Catching brook trout except by hook and line, prohibited.

Penalty for catching trout out of season.

SECTION 9. Any person or persons or company engaged in the increase of brook trout by artificial process, (known as fish culture,) may take from their own ponds, in any way, and cause to be transported, and may sell brook trout, and the spawn of brook trout, at any time, and common carriers may transport them, and dealers may sell them, on condition that the packages thereof so transported are accompanied by a certificate of a justice of the peace, certifying that such trout are sent by the owner or owners or agent or parties so engaged in fish culture; and such persons or company may take, in any way, at any time, upon the premises of any person, under permission of the owner thereof, brook trout, to be kept and used as brook trout, for artificial propagation only, and for no other purpose.

Persons engaged in culture of brook trout may transport and sell same.

Packages to be accompanied by certificate of justice.

SECTION 10. Violation of any of the provisions in this act contained, from and including the sixth section to the end thereof, may be prosecuted by any citizen of the county in which said violation shall take place, before any justice of the peace or court of common pleas or quarter sessions in and for the said county; and funds paid as penalties shall be equally divided between the school directors of the proper district, for school purposes only, and the complainant or informant.

Prosecutions for violation of.

Appropriation of penalties.

Sheriffs to order dismantling of fish baskets, kiddles, &c.

SECTION 11. On any of the streams or parts of streams contemplated by this act, and under the jurisdiction of this commonwealth, to which anadromous or migratory fishes shall now have access, by the non-existence of dams, or by openings in the dams, whether intended or not to facilitate such access, and in whatever of the reaches or spaces below or between dams, such planting of new species shall have taken place as is herein contemplated, the sheriffs of the counties having jurisdiction of such reaches of the streams, whenever they shall discover or be informed of the existence of such contrivances for the catching of fish as are commonly known as fish baskets, eel weirs, kiddles, brush or fascine nets, or any other permanently set means of taking fish, in the nature of a sieve, which are known to be wasteful and extravagant modes of fishing, the said sheriffs shall give ten days' notice in two newspapers of their respective counties, that the said contrivances are known to exist and are declared common nuisances, ordering them to be dismantled by their owners or managers, so as to render them no longer capable of taking or injuring the fishes of the streams of whatever kind; and if at the expiration of the said ten days the dismantling shall not have taken place, then the said sheriffs shall proceed, with such force good men of the county as may be necessary for the purpose, and destroy or dismantle the said fish baskets, kiddles, eel weirs or such other devices contemplated by this section, so that they may be no longer capable of taking or injuring fish; and the accounting officers of the counties shall make good the cost of the said proceedings to the said sheriff or sheriffs in the settlement of their accounts with the said sheriffs; and if upon being duly informed by a reputable citizen of the county that said nuisances are in existence and require abatement, the said sheriff or sheriffs shall not proceed as directed in this act, then he or they, upon conviction in the county court of the said neglect of duty, shall be fined not less than one hundred nor more than one thousand dollars for every such neglect; said fines to be collected as ordinary fines are collected, and the proceeds divided equally between the informer or complainant and the school directors of the proper district, for school purposes only; this section is not intended to supersede any other law of this commonwealth for the suppression of fish baskets, et cetera, if the same be found efficacious to destroy or abolish them.

To proceed by force if order is not complied with.

Payment of costs.

Penalty on sheriffs for neglect of duty.

Repeal.

SECTION 14. All acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 258.

An Act

To provide for the purchase of a fire-proof safe for the use of the prothonotary of the supreme court for the Middle district.

WHEREAS, It is represented that certain valuable records and papers in the official custody of the prothonotary of the supreme court for the Middle district are without sufficient and adequate protection from fire :

And whereas, The destruction of said records and papers would involve irreparable loss both to the commonwealth and individuals ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of five hundred dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of the state treasury to purchase a fire-proof safe, for the use of the prothonotary of the supreme court for the Middle district ; said amount to be expended under the direction of the said prothonotary, and to be paid to him by the state treasurer upon presentation of an authenticated bill for the said safe, including cost of transportation and handling, if any there be.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 259.

A Further Supplement

To an act, entitled "A further supplement to an act relating to orphans' courts," passed the twenty-ninth day of March, one thousand eight hundred and thirty-two, and the supplement, passed fourteenth of April, one thousand eight hundred and thirty-five, and the further supplement, passed fourteenth of April, one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That whenever it shall happen that a devisee, legatee or distributee, being in his or her minority, shall reside out of this state, and the orphans' court in this state, having jurisdiction of the accounts of the executor, administrator or guardian, shall deem it advisable and proper, upon the petition of such executor, administrator or guardian having such estate, legacy or share of said minor in his or her possession, or on petition of said minor, or his or her guardian, duly appointed in that state where such minor resides, said court may make an order authorizing the executor, administrator or guardian in this state to pay over to the guardian in the state where said minor may reside such legacy, devise or distributive share as aforesaid; and upon such payment the said executor, administrator or guardian shall be entitled to a credit for the same, in his, her or their accounts: *Provided*, Said court shall not grant said order until they shall be satisfied by the certificate of the register, probate judge or other officer having jurisdiction of the accounts, et cetera, of said foreign guardian or otherwise, that the bond or other security given by said guardian, is sufficient to secure the faithful appropriation of the money or other funds so to be paid over.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 260.

An Act

To prevent frequent changes in school books.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That hereafter the board of directors of any district, the controllers in cities and boroughs, or any school superintendent, shall not order or direct or make any change in the school books or series of text-books used in any school under his or their superintendence, direction or control, more than once in every period of three years; and any laws or parts of laws inconsistent herewith be and the same are hereby repealed.

SECTION 2. Any school director, controller or superintendent, who shall violate the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof

Directors, &c.,
not to order
change in books
oftener than
once in three
years.

Penalty for vio-
lating act.

shall be sentenced by the court to pay a fine, not exceeding two hundred dollars, and that he be deprived of his office.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 261.

An Act

To repeal the act of April twenty-ninth, Anno Domini one thousand eight hundred and forty-four, so far as it imposes a tax of two per centum on every dollar of salary and emolument of persons holding public office or offices held under corporations, trades, occupations and professions.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved April twenty-ninth, Anno Domini one thousand eight hundred and forty-four, as imposes a tax of two per centum on every dollar of salary and emoluments over two hundred dollars, of persons holding public office or offices, held under corporations; also so much of the act as imposes a tax of one per centum on incomes of tradesmen, occupation and professions, over two hundred dollars, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 262.

An Act

To authorize a popular vote upon the question of calling a convention to amend the constitution of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Question of constitutional convention to be submitted to vote of people.

That the question of calling a convention to amend the constitution of this commonwealth be submitted to a vote of the people at the general election, to be held on the second Tuesday of October next, the said question to be voted upon in manner following, to wit: In counties and cities in which slip ticket voting is authorized by law, votes for and against a convention may be expressed and given upon the ticket, headed or endorsed with the word "state," and not otherwise; and the words used shall be "constitutional convention," and underneath "for a convention" or "against a convention;" and in counties or districts in which slip ticket voting shall not be authorized by law, each elector voting upon said question shall cast a separate ballot, endorsed on the outside "constitutional convention," and containing on the inside the words "for a convention" or "against a convention;" and all votes cast as aforesaid shall be received, counted and returned by the proper election officers and return judges as votes for governor are received, counted and returned under existing laws.

How voted upon.

How votes to be received, &c.

SECTION 2. That the election aforesaid shall be held and be subject to all the provisions of law which apply to general elections; the sheriffs of the several counties shall give notice of this act in their election proclamation the present year, and the governor shall cause all the returns of the said election, as received by the secretary of the commonwealth, to be laid before the legislature at its next annual election.

Election subject to general election laws.

Sheriffs to give notice of act.

Returns to be laid before legislature.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 263.

An Act

To authorize married women owning capital stock of any railroad company to sell and transfer the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for any married woman, owning any share or shares of the capital stock of any railroad company, to sell and transfer the same with like effect as if she were unmarried.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 264.

An Act

For the further regulation of boroughs.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any application for the incorporation of a borough, under the general borough acts of first of April, one thousand eight hundred and thirty-four, and third of April, one thousand eight hundred and fifty-one, shall be laid before the grand jury at the same term of the court when presented, whenever the same can be conveniently done, and in no case later than the next subsequent term of the court, and shall be signed by the petitioners whose names are attached thereto, within the three months immediately preceding its presentation to the court; and public notice of the intended application for a borough charter shall be given in at least one newspaper of the proper county, for a period of not less than thirty days immediately before the petition shall be presented; the foregoing regulations shall also apply to any application to a court of competent jurisdiction under the said acts, or either

Regulations for
incorporation of
boroughs.

Change of bo-
rough limits.

of them, for a change of borough limits, or to annul or alter a borough charter, or to bring a borough created or regulated by special laws under the operation of the aforesaid act of third of April, one thousand eight hundred and fifty-one.

Number of members of town council fixed.

Courts may authorize chief executive officer to serve as member of council.

Elections for councilmen.

How vacancies to be filled.

On extension of borough limits, plot to be filed in quarter sessions.

Notice to be published.

Appeal to court from ordinance annexing territory, authorized.

Powers of court,

SECTION 2. The number of members of any town council of a borough where the number is now fixed at five, shall be hereafter six, and in boroughs hereafter incorporated under general laws, the number of such councilmen shall be six; but the several courts of the commonwealth, having jurisdiction to incorporate boroughs may, in granting an incorporation, or upon application made to them for the purpose, fix or change the charter of any borough so as to authorize the burgess or chief executive officer thereof to serve as a member of the town council, with full powers as such, and to preside at the meetings thereof.

SECTION 3. In elections for members for town councils each voter may, at his option, bestow his votes singly upon six candidates, or cumulate them upon any less number, in the manner authorized by the fourth section of the act to define the limits and to organize the town of Bloomsburg, approved March fourth, one thousand eight hundred and seventy; and vacancies in any such council shall be filled in the manner provided in the fifth section of the same act; but nothing herein contained shall be held to regulate or affect the manner of choosing the burgess or other principal executive officer of a borough, even when he shall be authorized to serve as a member of the town council.

SECTION 4. Whenever the borough authorities shall extend the limits of such borough, they shall file a plan or plot of such extension in the office of the court of quarter sessions of the proper county, and notice thereof shall be published in at least two of the newspapers published in the county; and any citizen of the borough, or of the territory annexed, shall have the right to appeal from the ordinance of the town council, annexing such territory, to the court of quarter sessions of said county, within thirty days of the filing of such plan or plot; and thereupon the said court shall have power, at its discretion, to decree or refuse such extension of borough limits, in the same manner as under the third section of the act of first of April, Anno Domini eighteen hundred and thirty-four, relating to boroughs.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy one.

JNO. W. GEARY.

No. 265.

A Further Supplement

To an act, entitled "An Act for the organization, discipline and regulation of the militia of the commonwealth of Pennsylvania," approved May fourth, one thousand eight hundred and sixty-four, and to the various supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in the city of Philadelphia the division board, heretofore referred to, shall divide the city of Philadelphia into as many military districts as they may deem expedient, and appoint, from amongst the uniformed members of the said First division, a canvasser for each district, who shall, between the first and tenth days of December, both days included, annually canvass his district, and enroll all the names of citizens residing therein between twenty-one and forty-five years of age, and liable to be enrolled for military duty by the laws of the United States and of this state; each canvasser shall, at the time of making said enrolment, notify each person enrolled by him, by leaving at the residence or place of business of such person a written or printed notice, in substance as follows, namely :

Division board, Philadelphia, to district city and appoint canvassers.

Canvassers to enroll citizens liable to militia duty.

To notify persons enrolled.

FIRST DIVISION N. G. OF PENNSYLVANIA, }
Philadelphia, ——— —, 18—.

To _____ :

You are hereby notified that you have been enrolled and returned to the division receiver as liable to militia duty, and unless you appear and show cause, if any you have, why you should not be holden to perform such duty, on or before the _____ day of _____, the commutation assessment of one dollar, in lieu of such duty, will be levied and collected by said receiver; and if the said commutation assessment be not paid on or before the first day of July next, the usual penalty for delinquency, together with the costs for collecting, will be added thereto. The officer for hearing appeals and for the collection of the commutation assessment is at No. ——— street; office hours from nine A. M. to three P. M., and from seven to nine on Monday evenings.

A _____ B _____,
Canvasser of the district, One division N. G.

The names of persons enrolled liable to militia duty shall be copied from the canvassers' books into such number of books, and in such manner as the division board shall direct, by the division receiver, at the completion of each annual enrolment; any person claiming that he is not liable to military duty by the laws of this state or of the United States may, on or before the day specified in such notice, and not after,

Names to be copied by division receiver.

Persons claiming to be exempt may deliver affidavit to division receiver.;

deliver to the division receiver an affidavit, stating such facts on which he claims to be exempt or not liable to military duty; such affidavit may be made before the division receiver, or any person authorized to administer oaths and affirmations, and the division receiver shall cause all such affidavits to be filed in his office; and if any person shall swear falsely in such affidavit he shall be deemed guilty of perjury; after the expiration of the first day of July, in each year, the division receiver shall cause to be noted opposite the names of all persons enrolled, who shall have neglected or refused to comply with the notice given them, the word "liable," and add to the commutation assessment heretofore provided the sum of one dollar and twenty-five cents, as penalty and cost for collecting the same; and opposite the name of each person not liable to duty, insert the word "exempt" or "not liable," as the case may be, and opposite the names of all uniformed members of companies upon such roll the letters "U. C.," and against the name of any military officer in commission, and liable to duty, the title of his office; and shall also insert against the names of persons between the ages of eighteen and twenty-one years "minor;" but if such person will have arrived at the age of twenty-one on or before the first day of July next after such enrolment, then the designation last above provided need not be made: *Provided*, That no person who shall be found forever not liable to perform military duty by any law of the United States or of this state shall be required to file more than one such affidavit in the office of the division receiver, but all persons claiming only temporary exemption under said laws shall be required to file annually one such affidavit so long as such temporary exemption exists.

False swearing.
After first July, division receiver to make certain notes opposite names.

Certain persons not required to file more than one affidavit.

Duties of assessors imposed upon canvassers

Compensation.

After first July, division receiver may proceed to collect commutation assessments remaining unpaid.

Construction of seventy-fifth section of former act.

Judge advocate general to be added to staff of commander-in-chief.

His duties.

SECTION 2. All the duties imposed upon and privileges granted to the assessors, by the acts to which this is a supplement, shall be and the same are hereby imposed upon and granted to the canvassers provided for herein: *Provided however*, That the compensation for services to be paid such canvassers shall be determined by said division board.

SECTION 3. That upon and after the first day of July, in each and every year, all commutation assessment remaining due and unpaid shall be considered, and the same is hereby declared to be delinquent, and the division receiver may at once proceed to collect the same as any taxes are now directed by law to be collected within this commonwealth.

SECTION 4. That section seventy-five, division one, of the act of one thousand eight hundred and sixty-four, shall not mean to include any street or public highway within the city of Philadelphia.

SECTION 5. That there shall be added the staff of the commander-in-chief, one judge advocate general, with the rank of brigadier general, who shall be appointed and hold his commission under the provisions now made for the other officers on the staff of the commander-in-chief; the duties of the judge advocate general shall be correlative with those discharged by the judge advocate general of the United States army.

SECTION 6. That whenever an officer shall be re-commissioned, within six months after the expiration of his original

commission, in the same grade in which he has served in the National Guard, his new commission shall bear date even with and he shall take rank from the date provided for in his former commission.

Dates of commissions of officers re-commissioned in same grade.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 266.

An Act

Authorizing the governor to procure flags or standards for the regiments of the National Guard of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor of the commonwealth be and he is hereby authorized to procure for each regiment of the National Guard of Pennsylvania, formed or to be formed, a regimental flag or standard of similar style to those presented by the state to the Pennsylvania regiments of the late war, to be inscribed with the proper number and name of the regiment to which it is to be presented, only on the certificate to the governor of the major general commanding the division, that such regiment is in proper organization, and conditioned to be entitled to receive the same; and the said regimental flag or standard, as required on the certificate of the major general aforesaid, shall be paid for on the warrant of the governor, out of any moneys in the treasury not otherwise appropriated.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 267.

An Act

Repealing an act, entitled "An Act repealing an act regulating the inspection of fish, and to prevent fraud in vending the same."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act repealing an act regulating the inspection of fish, and to prevent fraud in the vending of the same," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 268.

An Act

To repeal an act, entitled "A supplement to the act providing for the taking of game, approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine," said supplement being approved on the fifth day of April, Anno Domini one thousand eight hundred and seventy, and also construing the second section of the act approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to an act providing for the taking of game."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to the act providing for the taking of game," approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

Act of 5th April,
1870, repealed.

SECTION 2. That the true intent and meaning of section two of an act approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to an act providing for the taking of game," is that the same only applies to and is of force and effect in the counties mentioned in the first section of said act.

True intent and meaning of section two of act of 9th April, 1870.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 269.

An Act

Relating to clandestine marriages.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no justice of the peace, clergyman, minister, or other person who shall take upon himself to perform the marriage ceremony, shall be liable for the penalty for joining in marriage persons under the age of twenty-one years, as provided in the second section of an act, entitled "An Act to prevent clandestine marriages," approved February fourteenth, Anno Domini one thousand seven hundred and twenty-nine, unless such justice of the peace, clergyman, minister, or other person performing the marriage ceremony, shall, at the time of joining them in marriage, knowingly or wilfully perform such marriage ceremony in disregard of the provisions of the first section of the act aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 270.

A Further Supplement

To an act, entitled "An Act to prevent waste in certain cases in this commonwealth," approved the twenty-ninth day of March, one thousand eight hundred and twenty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a writ of estrepment to stay waste may be issued, agreeably to the provisions of the act to which this is a further supplement, in all cases after judgment obtained on *scire facias* on mortgage, or after proceedings instituted to collect a debt secured by mortgage upon any leasehold estate or estates, for a term of years, upon the proper affidavit being made as required by said act, the court out of which said writs shall issue shall have power and authority to dissolve, modify or restrict said writs, to require security, and to make such order in the premises as to them shall seem equitable and just, and to enforce such orders by attachment if necessary.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 271.

An Act

Amendatory to an act, entitled "An Act for the punishment of cruelty to animals in this commonwealth," approved March twenty-ninth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of an act, entitled "An Act for the punishment of cruelty to animals in this commonwealth," approved March twenty-ninth, one thousand eight

Payment of penalties, relative to.

hundred and sixty-nine, as requires the payment of one-half of any fine to be paid to any informer, be and is hereby repealed; and that from and after the passage of this act all fines and penalties imposed by any alderman or magistrate, under said act of March twenty-ninth, one thousand eight hundred and sixty-nine, shall be payable to the Pennsylvania society for the prevention of cruelty to animals.

SECTION 2. That all acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 272.

A Supplement

To an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, one thousand eight hundred and fifty-seven, and extending the same to bridge companies, and also for increasing the capital stock of said companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the twelfth section of the act to which this is a supplement shall be and are hereby extended to all gas, bridge and water companies incorporated under any special law of this commonwealth prior to the passage of the said act.

Twelfth section
of act of 11th
March, 1857, ex-
tended.

SECTION 2. That the president and managers or board of directors of any of said companies shall be empowered and they are hereby authorized, whenever they have created or shall erect and construct any new buildings, or any new and material improvements, such as are authorized by their respective charters, to issue certificates of stock to the amount of the cost of such buildings or improvements.

When new im-
provements are
created, presi-
dent may issue
certificates of
stock.

BUTLER B. STRANG,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 273.

A Further Supplement

To an act relating to corporations for mechanical, manufacturing, mining and quarrying purposes, approved the eighteenth day of July, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to corporations for mechanical, manufacturing, mining and quarrying purposes," approved the eighteenth day of July, one thousand eight hundred and sixty-three, and of the supplements thereto, approved the twenty-ninth day of April, one thousand eight hundred and sixty-four, are hereby extended to and shall include any horticultural or agricultural business, as well as the business of raising and growing of trees, plants, seeds and grains.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 274.

An Act

To repeal the first section of an act, entitled "A supplement to the act providing for the taking of game, approved the first day of April, Anno Domini one thousand eight hundred and sixty-nine," said supplement being approved on the fifth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, entitled "A supplement to the act providing for the taking of game, approved the first day of April, Anno Dom-

ini one thousand eight hundred and sixty-nine," be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 275.

An Act

In relation to the allotment of prisoners to the Eastern and Western penitentiaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the counties of Cameron, Potter, Clinton, Centre, Mifflin, Juniata and Fulton, from and after the passage of this act, shall be and the same are hereby attached to the Western district of Pennsylvania, so far as regards the punishment of offenders convicted in said counties; and all prisoners from said counties, who are now imprisoned in the Eastern penitentiary, at Philadelphia, shall be transferred to the Western penitentiary, at Allegheny, under the direction of the inspectors of both penitentiaries, there to serve out the unexpired term of their respective sentences, and in accordance with the laws in force in reference to the punishment of persons convicted of crime, and sentenced to the state prisons.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 276.

An Act

Authorizing the governor to issue commissions to certain officers of Pennsylvania volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized to issue commissions in the cases of all such officers of Pennsylvania regiments or companies who, during the late civil war, after being regularly mustered into the service of the United States, died, were killed or honorably discharged therefrom prior to receiving their commissions.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 277.

An Act

To amend an act authorizing the authorities of Apollo borough, Armstrong county, to issue bonds, levy and collect a tax to pay the same, for the purpose of erecting a bridge over the Kiskiminetas river, at said borough.

WHEREAS, By the fourth section of the aforesaid act, the legal voters of said borough were authorized to elect five of their citizens to take the place, and perform the duties of the managers named in the third section of said act:

And whereas, Said election was not held in compliance with said act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the persons named in the third section of said act shall hold their offices and perform the duties as set forth therein, until the legal voters of the aforesaid borough shall, at some future borough or general election, elect five of their citizens

to take the place, and perform all the duties of the aforesaid managers, as set forth in said act; and that so much of the fourth section of said act, as is inconsistent herewith, be and the same is hereby repealed: *Provided*, That the commissioners appointed in this act shall not issue the bonds, or proceed to levy or collect any tax authorized in said act to which this act is a supplement, until after the company owning or operating the rolling mill in said borough, or other persons for whose use said bridge shall be erected, shall have entered into bonds for such amount, in addition to said five thousand dollars, as will be sufficient to complete said bridge, and keep the same in good order and repair.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 278.

An Act

To repeal a supplement, approved March thirtieth, Anno Domini one thousand eight hundred and seventy, to an act, entitled "An act approved the thirtieth day of March, Anno Domini one thousand eight hundred and fifty-four, authorizing the appointing of an auctioneer for Clinton county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supplement to the act approved thirtieth day of March, one thousand eight hundred and seventy, being a supplement to an act approved one thousand eight hundred and fifty-four, authorizing the appointing of an auctioneer for Clinton county, be and the same is hereby repealed: *Provided*, That this shall not take effect until the first day of January next.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 279.

A Supplement

To an act to incorporate the Delaware River Telegraph Company, approved March twenty-third, Anno Domini one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

President and directors may borrow money, issue bonds therefor, and sell same.

That the president and board of directors of the Delaware River Telegraph Company be and they are hereby authorized to borrow any sum or sums of money, not exceeding one hundred and twenty-five dollars per mile, for each and every mile of working or completed lines of telegraph owned or controlled by them, and to issue their bonds therefor, in sums not less than twenty-five dollars each, with or without interest coupons attached, at such rates of interest, and at such time or times of payment as they may determine, and to sell and negotiate the said bonds at such prices, upon such terms and in such manner as they may deem expedient; and also to secure the payment of the said bonds by mortgaging their telegraph line, together with all its corporate rights and franchises, and the whole or any part of their property, whether real or personal, to such trustee or trustees as they may select; and in case of a sale under the said mortgage, the purchaser or purchasers shall acquire all the franchises and property so mortgaged, as fully and effectually as they were held by the company at the time of the execution of said mortgage.

May secure payment of bonds by mortgaging telegraph line, &c.

What purchasers shall acquire in case of sale under mortgage.

Corporations may subscribe for bonds, &c.

Stockholders may take a pro rata share of bonds.

SECTION 2. That it shall be lawful for any incorporated company to subscribe for any of said bonds or to guarantee the payment of the same, with interest.

SECTION 3. The stockholders in the said Delaware River Telegraph Company shall have the right to subscribe for and take a *pro rata* share of said bonds on the stock held by them or any of them, when fifty dollars or more is held by any single stockholder; and the officers of the company shall offer to and allow the stockholders, as aforesaid, to so take and hold the said bonds: *Provided*, That out of the proceeds of the first twelve thousand dollars of the bonds to be issued under this act, the line of said company, from the borough of Bethlehem to the borough of Chapman, shall be completed and put in working order.

Completion of line from Bethlehem to Chapman.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 280.

An Act

Supplementary to an act to incorporate the city of Chester, in the county of Delaware, approved the fourteenth day of February, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the powers now by law possessed by the mayor and council of the said city of Chester, the said mayor and council shall have power, in their discretion, by ordinance or resolution, either upon the petition of a majority in the number of the owners of lands or upon the petition of the owners of a majority of lineal feet of lands fronting upon any street, lane or alley in the said city, to grade and pave the road-way of such street, lane or alley between the points named in the petition: *Provided,* That the distance between the said points shall not exceed six hundred and sixty feet.

Mayor and council may, upon petition of land owners, pave roadway of streets, &c.

Proviso.

SECTION 2. That the said mayor and council shall have power to borrow money and issue city bonds therefor, additional to amounts authorized for other purposes, to pay for the work done pursuant to section first of this act, and to levy a special tax to pay the loan so created, for ten successive years, of one-tenth of the cost of the said paving, (but not of the grading, which shall be paid for by the said city as heretofore,) with interest, upon the land fronting upon the road-way so paved, and to collect the same as other city taxes are now by law collected; and such special taxes shall be levied upon property owners in front of whose property said paving is done, in proportion to their extent of front upon the road-way so paved, extending to the middle of said road-way: *Provided,* That if any property owner shall, within sixty days after the approval of the said paving in front of his property by the city surveyor, pay into the city treasury his proportion of the expense of such paving, he shall be credited with the amount so paid by him on the books of the city, and shall be entitled to have his city taxes charged or set off on the said books, annually, until the sum so charged or set off shall balance the amount so paid by him without interest.

May borrow money, issue bonds, and levy tax.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 281.

An Act

To change the venue in a certain action of ejectment from Clarion county to Venango county.

WHEREAS, The Honorable James Campbell, president judge of the court of common pleas of Clarion, was of counsel in the matter in issue in the case hereinafter mentioned, and the Honorable John Keating, one of the associate judges, is the father of the defendant in said case, and also an important witness; and also because the defendant has made oath by affidavit, that he verily believes he cannot obtain justice on a trial before a jury in the said county of Clarion, and that on a former trial in said county the jury found a verdict against him, against the evidence in the case, which verdict has been set aside, and a new trial granted by the court; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain action of ejectment brought by one Simon Best, plaintiff, against Hugh Keating, defendant, in the court of common pleas of Clarion county, to recover a certain tract or piece of land in Clarion county, be and the same is hereby removed and transferred from the said court of common pleas of Clarion county, to the court of common pleas of Venango county, where the same shall be tried, and a verdict and judgment thereon shall have the same force and effect as if the said action had been tried in the court of common pleas of Clarion county; and the record and all papers in said case shall be certified and transferred to the said court of common pleas of Venango county, by the prothonotary of the court of common pleas of Clarion county, and all such writs as shall be necessary to carry final judgment, when rendered, into effect, shall be issued out of said court of common pleas of Venango county, directed to the sheriff of Clarion county, who shall execute them in the same manner, and with the same effect as writs of the same nature, issued out of the court of common pleas of Clarion county: *Provided,* The said case shall be subject to writ of error by either party, the same as if tried in the county of Clarion.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 282.

A Supplement

To an act to incorporate the Philadelphia Trust, Safe Deposit and Insurance Company of the city of Philadelphia, approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine, increasing the number of directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section of an act, entitled "An Act to incorporate the Philadelphia Trust, Safe Deposit and Insurance Company of the city of Philadelphia," approved the fifteenth day of April, Anno Domini one thousand, eight hundred and sixty-nine, be and the same is hereby amended by making the maximum number of directors, which the stockholders of the said corporation may elect, twenty-five instead of thirteen, as fixed by said act. Number of directors increased.

SECTION 2. That the name of the Philadelphia Trust, Safe Deposit and Insurance Company of the city of Philadelphia be and the same is hereby changed, by striking out the words, "of the city of Philadelphia," making the name of the said corporation the Philadelphia Trust, Safe Deposit and Insurance Company, with the same effect, in all respects, and to all intents and purposes, as if the said corporation had been originally created under this name and title. Name changed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 283.

An Act

To incorporate the trustees of the Synod of the Reformed Presbyterian church of North America.

WHEREAS, The Synod of the Reformed Presbyterian church (old school) of North America, have under their control, and Preamble.

subject to their supervision, a theological seminary, a board of education, a domestic mission, a foreign mission, and may have other and additional educational and religious institutions :

And whereas, The said synod, by donations, bequests and otherwise, are possessed of notes, bonds, moneys and other property, to be used for its various benevolent objects, and have reason to expect further donations and acquisitions; to secure said property and accumulations, and to encourage additions thereto, and the better to enable them to manage, invest, re-invest and dispose of such property as they have acquired or may hereafter become possessed of; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Gregg, Daniel Euwer, Daniel Chesnut, R. R. Sloan, William Wills, Doctor S. A. Sterritt and John A. M'Kee, and their successors in office, duly elected or appointed in the manner hereinafter specified, be and they are hereby made, declared and constituted a body politic and corporate, in law and in fact, to have continuance forever, by the name and style of the Trustees of the Synod of the Reformed Presbyterian church of North America.

SECTION 2. The said corporation shall have perpetual succession, and shall forever hereafter be able and capable in law to take, receive and hold all manner of lands, tenements, rents, annuities, franchises and other hereditaments, and all personal property which heretofore have been granted, bargained, sold, assigned, transferred, devised, bequeathed or otherwise acquired by the Synod of the Reformed Presbyterian church aforesaid, or to any person or persons, to their use or in trust for them; and the said lands, tenements, rents, annuities, franchises and other hereditaments and personal property, are hereby vested and established in the said corporation and its successors forever, according to the original use and intent for which such devises, gifts and grants were respectively made or intended; and the said corporation and its successors is hereby declared to be seized and possessed of such estate and estates therein, as in and by the respective grants, bargains, sales, bequests, devises and other conveyances or transfers thereof, is or are declared limited or expressed; and the said corporation and its successors, at all times hereafter, shall be able and capable in law to purchase, have, receive, take, hold and enjoy, in fee simple or of lesser estate or estates, any lands, tenements, rents, annuities, franchises and other hereditaments and personal property, by the gift, grant, bargain, sale, alienation, enfeoffment, confirmation or devise of any person or persons, bodies politic and corporate, capable and able to make the same; and furthermore, the said corporators and their successors, under the corporate name aforesaid, may take and receive any sum or sums of money, and any portion of goods and chattels that have been given to said synod, or to any person or persons in trust for them, or that hereafter shall be given, sold, leased or bequeathed to said corporation by any person or persons, bodies

Corporators.

Name.

Powers and
privileges

politic or corporate, capable and able to make a gift, sale, bequest or other disposal of the same; such moneys, goods, chattels or other property to be laid out, disposed of, invested or re-invested, agreeably to the intention of the donors, and in pursuance of the objects, articles and conditions of this act.

SECTION 3. That no misnomer of the said corporation and its successors shall defeat or annul any gift, grant, devise or bequest to the said corporation: *Provided*, That the interest of the party or parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to the said corporation. Misnomer.

SECTION 4. That the said corporation and its successors shall have power to make, have and use a common seal, with such device and inscription as the board of trustees hereinafter named shall think fit and proper, and to break, alter, amend and renew the same at pleasure. Seal.

SECTION 5. That the said corporation and its successors, by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court of law or equity, or before any judge, justice of the peace or alderman, in all manner of suits, complaints, pleas, matters and demands of whatsoever nature, kind or form the same may be, and all and every matter and thing to do in as full and effectual a manner as any other person or persons, bodies politic or corporate within this commonwealth may or can do. May sue, &c.

SECTION 6. That the board of trustees hereinafter named, and their successors, shall be and hereby are authorized and empowered to make, ordain and establish by-laws and ordinances, and to do everything incident and needful for the support and due government of the said corporation and managing the funds and revenue thereof: *Provided*, The said by-laws be not repugnant to the constitution and laws of this commonwealth or of the federal government, to this act or to the laws and regulations of the Synod of the Reformed Presbyterian church of North America (old school.) By-laws and ordinances.

SECTION 7. The business of said corporation shall be entrusted to a board of trustees, consisting of six members of the Reformed Presbyterian church aforesaid, (though the synod of said church, at any regular meeting or session thereof, may increase the board to nine members,) one-third of whom shall be elected annually by said synod, to serve for three years, on the fifteenth day of June, (or at such other time as the said synod shall determine,) to succeed the said corporators, who shall constitute the first board of trustees, and whose term of office shall expire as follows, viz: David Gregg and Daniel Euwer on the fifteenth day of June, one thousand eight hundred and seventy-one; Daniel Chesnut and William Wills on the fifteenth day of June, one thousand eight hundred and seventy-two; and Dr. S. A. Sterrett and John A. M'Kee on the fifteenth day of June, one thousand eight hundred and seventy-three; in case said synod shall fail to elect trustees as hereinbefore provided, the member or members of said board of trustees whose term of office shall or may have expired shall thereupon be deemed re-elected for the term of three Trustees.
First board.
Failure to elect trustees at time fixed.

Vacancies. years; and in case of death, resignation, refusal to serve or other inability or incapacity to serve of any member of the said board, the remaining members thereof shall have power to fill such vacancies out of the membership of the Reformed Presbyterian church; the person or persons thus appointed to continue in office until the next regular meeting of the synod aforesaid, or until the said vacancies are regularly filled by the synod in pursuance of this act: *Provided however*, The said synod shall have power, at any meeting, to remove from office any member or members of the corporation, and at the same time to fill vacancies occasioned by such removal by the appointment or election of successors, who shall serve out the unexpired term of the member or members removed; and the vote of the members of the synod in such case shall be by ballot.

May manage and dispose of estate committed to their care &c.

SECTION 8. That the corporation aforesaid shall have power and authority to manage and dispose of all moneys, goods and chattels, lands, tenements, hereditaments and other estate whatsoever committed to their care in trust by said Synod of the Reformed Presbyterian church, and shall have power to invest their moneys or other property in bonds, mortgages or other real or personal securities, at a rate of interest not to exceed ten per centum per annum; and furthermore, the said corporation shall have power and authority to borrow money, on bond and mortgage or otherwise, for the support, furtherance or use of the theological seminary, the foreign or domestic missions, or for buildings for religious or educational purposes of said corporation or church; but in no case shall said corporation have power to mortgage or sell the real estate without the consent of the synod of said church first had and obtained.

May borrow money.

How trustees to manage funds, &c.

SECTION 9. The said board of trustees shall, in all cases, manage the funds and other property or estate belonging to said corporation as in their judgment shall seem for the best interest of the said Synod of the Reformed Presbyterian church; but in cases where special instructions shall be given to them by the said synod, in writing, under the hand of the synod's clerk, it shall be the duty of the said corporation to act according to such instructions: *Provided*, That the said instructions shall not be repugnant to the constitution and laws of the United States or of this commonwealth, or to the provisions of this act.

Officers.

SECTION 10. That the said corporation may have a president, vice president, secretary, treasurer and such other officers as the said board of trustees may deem necessary; the treasurer shall be elected by the said Synod of the Reformed Presbyterian church from the members of the said board; but the other officers, (including the treasurer,) should the synod as aforesaid fail to elect, or should the person so elected refuse to serve, shall be chosen by the members of the said board of trustees from among their own number; and the said board shall have power to appoint a clerk, and assign such compensation to any of its officers or servants as their respective labors shall, in the judgment of said board, warrant, subject to the approval of the synod at its first regular

meeting; and it shall be competent for the said synod to determine whether the said treasurer shall enter into an official bond, and if they decide affirmatively, to fix the amount thereof and the number of sureties; it shall also be competent for the said synod to select one or more reliable banks, or banking houses, as places of deposit for the funds and securities of the said corporation; and in such case the treasurer shall not be involved in any liability for deposits made in pursuance of such selection.

Synod may determine whether treasurer shall give bond, &c.
May select places of deposit for funds.

SECTION 11. A majority of the said board of trustees shall be competent to transact the business of the said corporation, and to make by-laws for the administration of business: *Provided*, That previous to any meeting of the said board for such purposes, (not held in pursuance of a previous adjournment,) five days' notice thereof shall be previously given, by mail or be delivered by hand, to each member of the board.

Majority of trustees competent to transact business.

Notice of meetings.

SECTION 12. That the said board of trustees shall keep regular minutes of their proceedings; the treasurer shall also keep a just account of the receipts and disbursements, in a book, or books, kept for that purpose, and shall, as often as is desired by the said board, exhibit to them the book or books of account and securities or other property of the corporation under his charge or control, and render detailed statements of the condition of the several accounts therein, and at every regular meeting of the Synod of the Reformed Presbyterian church render to the said synod a full and correct statement of the accounts of the corporation, and the condition of the property and funds under his control on behalf of the corporation.

Minutes of proceedings to be kept.

Treasurer to keep account of receipts and disbursements, &c.

SECTION 13. That the said corporation may take, receive, purchase, possess and enjoy messuages, houses, lands, tenements, rents, annuities and hereditaments, and all manner of real and personal estate, to any amount not exceeding fifty thousand dollars yearly value, exclusive of the annual or periodical collection and voluntary contributions made in the churches under the care of the said synod, or contributions from any other source which are not to be funded, but to be expended in church operations.

May hold property not exceeding yearly value of \$50,000.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 284.

A Supplement

To the act, entitled "An Act authorizing the school directors of the borough of Waynesboro', Franklin county, to borrow money for school purposes," approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of Waynesboro', Franklin county, or their successors in office, are hereby authorized and empowered to issue bonds, bearing interest at a rate not exceeding seven per centum per annum, for the purpose, and to the amount provided in the act of assembly to which this is a supplement; said bonds to be issued by the president and secretary of said board, in sums of not less than fifty dollars each, payable at such times, not exceeding twenty years, as said board may deem proper; said bonds shall be exempt from all taxation under the laws of this commonwealth, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 285.

An Act

Erecting parts of Reserve and M'Clure townships into a city district adjoining the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a tract of land lying north of the city of Allegheny, in the county of Allegheny, including parts of the townships of Reserve and M'Clure, shall be set off, defined by limits

Certain tract of land to be erected into a city district.

and erected into a city district for said city, and bounded as follows: Beginning at the north line of said city, in the centre of the Saw Mill Valley plank road; thence along said line west to the Allegheny and New Brighton turnpike road; thence northwardly along said road to the public road along Wood's run; thence along said road, up said run to the line of the Maguire lot; thence northwardly including the same, and along the east line of the Lapish tract, to the corner of land of Daniel Morningstar; thence including said land to the public road; thence eastwardly along said road to the Allegheny and Perrysville plank road; thence northwardly along the same to the north line of the Graham tract; thence by said line eastwardly to the New Franklin road; and thence southwardly along said road and the Saw Mill Valley plank road to the place of beginning, to be called North End district.

Name.

SECTION 2. That the judges of the court of quarter sessions of the county of Allegheny shall, immediately after the approval of this act, upon the petition of ten or more citizens of said district, appoint in and for the same, three citizens of good repute residing therein, to the office of street and road commissioners, who shall serve until the next annual election for state and county officers, when the qualified electors of said district shall elect by ballot, three like reputable citizens to fill said office for one year, and until their successors shall be thereafter, at said election, chosen annually, in the same manner that township auditors are now chosen; and it shall be the duty of said commissioners to levy and collect a tax to be expended in repairing, making and opening roads and streets in said district; and they are hereby, for that purpose, clothed with all the powers vested in supervisors of highways within this commonwealth, and are required to levy, in the month of March next ensuing the passage of this act, and annually thereafter, in the same manner as supervisors of highways do now levy road taxes, a tax not exceeding ten mills on the dollar of the assessed value of all property made taxable in the said district for state and county purposes; and the said commissioners or a majority of them shall be competent to determine the amount of, and to levy said tax; and they shall appoint one or more collectors of said tax, who shall, before entering upon the duties of their appointment, give approved security in double the amount of the tax to be collected: *Provided*, That the taxes so levied may be paid to the treasurer of said district at any time, from the first day of April to the first day of July in each year, less five per centum on the dollar; and from said first day of July to the first day of September in each year, the said taxes may be paid without any abatement; if all said taxes shall not be fully paid on the first day of September in each year, then the duplicate containing the same shall be placed in the hands of a collector or collectors so as aforesaid appointed, and he or they shall proceed forthwith to collect all taxes remaining unpaid from delinquent tax-payers, together with the ten per centum commissions for collection.

Court to appoint three street and road commissioners.

Election of street and road commissioners.

Commissioners to levy tax.

To appoint collectors.

Taxes may be paid to treasurer.

If not paid within certain days, duplicate to be placed in the hands of the collector.

and to that end are hereby clothed with all the powers of collectors of road taxes within this commonwealth.

Court to appoint constable.

SECTION 3. That the said court of quarter sessions shall, at the same time they appoint the commissioners named in the preceding section of this act, also appoint a constable for said district, to serve until the next election therein, when one qualified elector thereof shall be chosen to fill the office of constable for said district, annually, as borough constables are now chosen and qualified; and the qualified electors of said district shall, at the first annual election to be held therein for officers, choose at said election two discreet citizens to the office of justice of the peace; and they shall also choose a treasurer for said district to serve for one year, and until his successor be duly elected and qualified; said treasurer to give bond in double the amount of the taxes levied, with surety to be approved by said commissioners, before acting as such: *Provided*, That said commissioners shall appoint a treasurer to act until one shall be elected and qualified as aforesaid.

Election of constables.

Election of justices of peace and treasurer.

Treasurer to give bond.

Proviso.

Before levying tax, commissioners to make estimate of money needed.

SECTION 4. That before levying the tax aforesaid, in each year, said commissioners shall make an estimate of the amount of money needed for the purposes aforesaid, and after they shall have determined upon the sum of money necessarily required for the ensuing year, they shall levy the same, and make, or cause to be made, a duplicate thereof, as is now done by supervisors of highways; and they shall also apportion the money, to be so levied and collected, among the roads and streets of said district, and shall award to the lowest and best bidder, after ten days' public notice published daily in a newspaper within the county of Allegheny, the contracts for making, opening and repairing the same annually; and the person or persons accepting such contracts shall be subject to all the pains and penalties now imposed on delinquent supervisors of highways, by indictment or otherwise.

To apportion money among roads and streets, and award contracts for repairs, &c., to lowest bidder.

Court may appoint commissioners to lay off districts into sections, &c.

SECTION 5. That at any time after the first day of July, Anno Domini one thousand eight hundred and seventy-one, it shall be lawful for the court of quarter sessions to appoint three commissioners, one of whom shall be a surveyor, to survey and lay off said district into sections and squares, and to lay out streets, lanes and alleys therein, and to alter, widen and straighten roads now laid out and opened therein, so that when the whole or any part of said district shall be admitted into and become a part of the city of Allegheny, as hereinafter provided, the streets, roads and alleys so laid out in said district shall form appropriate connections with and extensions of the streets and highways of said city; and the said commissioners shall make an accurate survey of said district and lay out thereon all roads, streets, lanes and alleys now opened, and shall also lay out and mark thereon all other streets, lanes, roads and alleys that may become necessary in the improvement and development of the said district; and they shall file a draft or plot thereof in the court aforesaid, and if the same be approved, the clerk of said court shall cause notice thereof to be published in a newspaper in said county for three weeks, when the report of said commissioners

Commissioners to make accurate survey.

To file draft in court.

If approved, clerk to give notice thereof.

shall be confirmed, if no exceptions be filed thereto by the owner or owners of property embraced in said survey and draft; but if exceptions be filed within said period as aforesaid, the court shall consider the same and may cause testimony to be taken and produced before the court on argument of such exceptions, and shall either confirm said report or order the same to be altered and corrected as shall seem proper, or may refer the report and survey back to the commissioners for such purpose or purposes as may be adjudged just and right; and the said report, when returned to the court in accordance with such reference, shall, on confirmation thereof, become firm and stable for the purposes intended: *Provided*, That before any street, lane, road or alley not now opened shall be opened and made, the part or parts of said district traversed by the same shall be first admitted into the city of Allegheny, and until such times the said district shall remain subject to the road laws of this commonwealth now in force in the the county of Allegheny.

Proceedings on exceptions filed.

District subject to road laws until admitted into city of Allegheny.

SECTION 6. That said district shall constitute one school district, and shall be a separate election district of said county; and the court shall, as soon after the passage of this act as shall be deemed proper, on application of ten or more citizens thereof, order an election of six school directors, to serve as such officers until the next ensuing election in said district; and the court, prior to such election, shall designate a place therein for holding all elections, and appoint a judge and inspectors to hold the same, at which all local officers to be elected in said district shall be chosen as borough officers are now chosen.

To be one school and election district.

Court to order election for school directors, &c.

SECTION 7. That the expenses attending the laying out of this district shall be paid by the county; and the surveyor and commissioners hereinbefore named shall be paid such reasonable compensation for their services as shall be approved and allowed by the court.

How expenses of laying out district to be paid.

SECTION 8. That when at any time the two-thirds of the property holders of said district, shall petition the councils of the city of Allegheny to be admitted into and become a part of said city, such described territory may be admitted into said city by resolution of the councils thereof, and shall thereafter be subject to all laws and ordinances governing the same.

How portions of districts may become part of Allegheny.

SECTION 9. That said district, from and after the passage of this act, shall be separated from and independent of the townships aforesaid, and shall form a separate school district, independent of the boards of school directors of said townships: *Provided*, That this act shall not go into effect until July the first, eighteen hundred and seventy-one.

District to be independent of townships.

When act to go into effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 286.

An Act

Supplementary to an act to incorporate the city of Chester, in the county of Delaware, approved the fourteenth day of February, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mayor and council of the city of Chester, county of Delaware, shall, in addition to the powers heretofore granted, have authority to borrow, upon the faith and credit of said city, any sum or sums of money, not exceeding thirty thousand dollars, and to issue therefor bonds or other evidence of indebtedness of the said city.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 287.

An Act

Extending the provisions of the act, entitled "An Act regulating the election of burgess and town council of the boroughs of Indiana and Brookville, fixing their terms of office and increasing their powers," approved March twelfth, one thousand eight hundred and sixty-nine, to the borough of West Indiana, in Indiana county; and also to increase the limit of taxation under said borough for borough purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly, entitled "An Act regulating the election of burgess and town council of the boroughs of Indiana and Brookville, fixing their terms of office and increasing their powers," approved the twelfth day of March, in the year of our Lord one thousand eight hun-

Provisions of certain act extended to West Indiana borough.

dred and sixty-nine, be and the same are hereby extended to the borough of West Indiana, in Indiana county; and that hereafter the said borough of West Indiana shall be subject to and regulated by the provisions of said act.

SECTION 2. That from and after the passage of this act the burgess and town council of the borough of West Indiana, in the county of Indiana, shall have power to levy and collect a tax for borough purposes, of not more than two per centum on the dollar of the valuation.

Taxation for
borough pur-
poses increased.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 288.

An Act

Relating to the taxes assessed upon dogs in the city of Lock Haven, appropriating said taxes to the Lock Haven Library Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the taxes assessed upon all dogs, within the limits of the city of Lock Haven, shall be paid to the Lock Haven Library Company, instead of the sheep fund, as heretofore provided by law; and that all laws inconsistent herewith be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 289.

An Act

To prevent fishing with seines in the Pennsylvania canal basin, adjoining Price and Company's furnace, in the city of Harrisburg, Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person or persons to fish with seines or nets of any description, in the Pennsylvania canal basin, adjoining Price and Company's furnace, in the city of Harrisburg, Dauphin county, under such penalties as are hereinafter provided.

Fishing with
nets prohibited.

Penalty for vio-
lating act.

SECTION 2. That any person wilfully violating any of the provisions of this act shall forfeit and pay the sum of ten dollars for each and every offence, the same to be recovered before the mayor or any alderman in said city, by an action of debt, in the name of the commonwealth, with costs of suit, and to be appropriated to the school fund of said city of Harrisburg; and the prosecutor thereof is hereby made a competent witness upon the trial of said case.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 290.

An Act

Authorizing the burgesses and town council of the borough of Huntingdon to borrow money, and provide a supply of water for the use of the inhabitants of said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of introducing into the borough of Huntingdon, in the county of Huntingdon, a sufficient supply

of fresh and pure water, for the use of the inhabitants thereof, the burgesses and town council of said borough are hereby authorized and empowered to purchase and hold, in fee simple or for any less estate, any water power or powers in, near or convenient to said borough, or any lands, tenements or hereditaments to which any water power or powers may be appurtenant, with full power the same or any part thereof to grant, bargain, sell, alien, convey, mortgage, pledge, charge, encumber and demise and dispose of at their will and pleasure; and also to take, occupy, use and enjoy any stream or streams of water in, near or convenient to said borough, that they may deem necessary to carry out the object and purpose of this act, or any lands to which any such stream or streams of water may be appurtenant, with full power to hold the same, for the purpose above mentioned, they doing as little damage as possible, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

Burgesses and council authorized to purchase water powers, &c.

SECTION 2. That the said burgesses and town council shall have full power and authority to provide, erect, construct and maintain all works and machinery necessary or proper for introducing into said borough a sufficient supply of fresh and pure water, and to provide, erect, construct and maintain all proper buildings, dams, trenches, pipes, drains, machinery, cisterns and reservoirs, and all things necessary or proper to the full and entire completion of the same; and for this purpose they are hereby authorized and empowered, by themselves, their agents, artisans, engineers and workmen, and their tools, instruments, carts, wagons and other carriages, and beasts of burden or draft, from time to time, and at all times hereafter, to enter into and upon any lands or enclosures, and public or private roads, highways or streets, as may be necessary, and to occupy, dig, ditch and lay pipe through the same, and to erect and maintain thereon such machinery, cisterns and reservoirs, as may be needful or proper for the purposes aforesaid, and the same to raise, alter or repair, doing as little damage as possible to private property, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

Authorized to erect works.

May enter upon lands, lay pipes, &c.

SECTION 3. That the said burgesses and town council, their superintendents, engineers, workmen and laborers, with their tools, instruments, carts, wagons and other carriages, and beasts of burden or draft, may enter upon lands contiguous to the dam or dams, machinery, works, cisterns or reservoirs, which they may erect, or the route upon which they may lay their pipes, and from thence take and carry away stone, earth, sand, gravel or other materials necessary to the construction or repair of the said dam or dams, machinery, works, cisterns and reservoirs, or to the proper laying down of the said pipes, doing as little damage as possible, and repairing any breaches they may in the enclosure thereof, and making compensation to the owner or owners thereof, in the manner hereinafter provided for.

May enter upon lands and take materials.

SECTION 4. That if the parties cannot agree upon the compensation to be made to the owner or owners of such water power, lands or enclosures, required for the use of said works,

Proceedings in cases of disagreements as to damages.

or for materials taken, or damages sustained or to be sustained, in the construction and use of said works, it shall and may be lawful for the said parties to refer the matter to suitable and judicious persons, who shall carefully view the premises, and, according to the best of their skill and judgment, estimate the value of the water power, land, enclosure or materials taken, or necessary to be taken, and of the injury sustained thereby; or if said parties cannot agree upon such viewers, then either party may apply to the court of common pleas of said county, who, upon such application, are hereby authorized and required to appoint five disinterested and discreet citizens of said county, who, after giving reasonable notice to the parties interested, shall perform the duties enjoined on said viewers; and they or four of them shall make report to the next term of said court what damage has been done, if any; which report shall be accompanied with a map or draft, describing the bounds of the land taken by the said burgesses and town council, which report being confirmed by the court, judgment shall be entered thereon, and execution may issue in case of non-payment of the sum awarded, with such reasonable costs as may be allowed by the court: *Provided*, That either party may appeal to the court, within thirty days after such report shall have been filed in the prothonotary's office, in the same manner as appeals are allowed in other cases; upon which appeal such proceedings shall be had as are usual in actions for damages at common law: *And provided further*, That it shall be lawful for the said burgesses and town council to enter at once into the possession or use of such lands and premises, upon giving or tendering to the claimant or claimants their bond or bonds, in such amount, with such security, as may be approved by one of the judges of said court, conditioned the payment of such sum or sums as the said claimant or claimants shall be entitled to receive, after assessment made, as hereinbefore provided.

May pass ordinances relative to conveyance of water, fix hydrants, &c.

SECTION 5. That the said burgesses and town council, in council assembled, shall have full power and authority to pass, enact and ordain all laws and ordinances necessary to enable them to convey the said water through the borough in all directions, and to fix hydrants and fire-plugs wheresoever they may deem proper; and to fix and determine from time to time, the rates of prices to be paid by the citizens and others for the use of the said water, and the penalties for non-payment; and to protect the water-works, machinery, cisterns, reservoirs, pipes, plugs and hydrants from damage or destruction, and generally to do all things requisite and necessary for carrying into full effect the object contemplated by this act.

Authorized to borrow money and issue bonds

SECTION 6. That the said burgesses and town council are hereby authorized and empowered, for the purpose of carrying into full effect the provisions of this act, to borrow in the name and upon the faith, credit and responsibility of the said borough, such sum or sums of money, not exceeding in the whole one hundred thousand dollars, as they may deem necessary for the aforesaid purpose, and to issue bonds or certificates of indebtedness in the name of the borough of

Huntingdon, under the corporate seal, attested by the chief burgess and the secretary or treasurer, to the purchaser or purchasers of said loan, in such sums, not less than one hundred dollars each, as they may see proper, and bearing such rate of interest, not exceeding eight per centum per annum, as may be agreed upon; *Provided*, That such loan shall not be subject to the payment of any county or municipal tax: *And provided further*, That the burgess and town council aforesaid shall not contract for the erection or construction of said works, until at least thirty thousand dollars of the above-mentioned loan shall have been taken or subscribed for by responsible persons.

Provido.

Provido.

SECTION 7. That the said burgesses and town council shall also have power, from time to time to borrow money in the manner aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the last preceding section, and shall have all necessary powers for levying, assessing and collecting taxes for the purpose of redeeming any of said loans, principal and interest.

May borrow money and levy taxes for redeeming loans.

SECTION 8. That all the money realized from the sale of bonds, issued in pursuance of the provisions of this act, together with all the water rents and income of said water-works, shall be designated the "Water Fund," and shall be expended in the construction, repair and maintenance of said works, the payment of the interest on said bonds, and the redemption of said bonds, and for no other purpose.

Money realized from sale of bonds, and water rents, what to be designated &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 291.

An Act

Relating to streets and to the draft of the borough of Media, Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the town council of the borough of Media shall have power and authority to straighten Jasper, Front, Second and Third streets, and to extend Pennell, Worrall, Monroe, Jackson, Olive, Orange, Lemon and Carbon streets, and to lay

Council authorized to straighten certain streets, extend others, &c.

out Manchester and Amethyst streets, Lincoln avenue, Garret street, Grant avenue and Beryl street, and to vacate Haldeman and Leedom streets, Primrose avenue, Trainor street, and Fourth streets, as laid out on a plan of streets on land of David Milne, filed in the office of the clerk of the court of quarter sessions of Delaware county, and approved by said court; and also to vacate the streets on the east and west sides of the Presbyterian church, extending from Washington to Franklin streets, in accordance with the draft or plan of said borough, prepared by the surveyor appointed by said council, and filed in the office of the clerk of said court, the twenty-sixth day of September, Anno Domini one thousand eight hundred and seventy, subject to the approval of said court, as is directed by the twentieth section of the act, entitled "An Act to incorporate the borough of Media, in the county of Delaware," et cetera, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty.

Names of certain streets changed

SECTION 2. That the name of Pennell street be changed to Edgmont street, and the name of Worrall street be changed to Darby street.

Portion of Carbon street vacated.

SECTION 3. That that part of Carbon street between Orange street and a point where the eastern line of the prison lot, if continued, would cross Carbon street, be vacated, so that the same shall not be used as a public street or highway.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 292.

A Supplement

To an act, entitled "An Act consolidating the wards of the city of Pittsburg for educational purposes," approved the twelfth day of February, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city superintendent of Pittsburg shall have power and is hereby required to call a teachers' institute five times in each year, the aggregate sessions of which shall be at least

five days: *Provided*, That the above five sessions shall be in lieu of the one session of five days, as now in force: *Provided further*, That so much of section forty of said act, or any other act, or parts of acts, as may conflict or be inconsistent with the provisions of this supplement, are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 293.

An Act

Supplementary to an act incorporating the Huntingdon academy, approved March nineteenth, one thousand eight hundred and sixteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Huntingdon academy be and they are hereby authorized to borrow a sum not exceeding two thousand dollars, at a rate of interest not exceeding eight per centum, for the purpose of paying debts, for repairs and making such additional improvements as they may deem necessary, with power to secure the loan by executing a mortgage upon the academy lot and buildings.

Trustees authorized to borrow money.

SECTION 2. That when the number of trustees shall have been reduced, by removal or death, to eight persons, then and afterward the number shall be limited to eight, five of whom shall constitute a quorum.

Number of trustees limited

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 294.

An Act

Vacating certain portions of Leet's lane and Mason's lane, in the plan of out-lots adjoining the borough of Beaver, Beaver county, as laid out by commissioners appointed for said purpose, and marked on the plan of out-lots aforesaid.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That that portion of Leet's lane, in Brighton township, Beaver county, lying between Cooper's lane and Mason's lane, and that portion of Mason's lane, from its intersection with said Leet's lane to the termination of said Mason's lane, as laid out by the commissioners appointed for said purpose, and marked on the plan of out-lots of said borough, be and the same are hereby vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 295.

An Act

To authorize the board of school directors of Liberty district, in the city of Pittsburg, to borrow money, sell real estate belonging to said district, not necessary to hold, and levy a special tax for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of Liberty district, being the Twentieth ward of the city of Pittsburg, in the county of Allegheny, be and they are hereby authorized and empowered to borrow any sum or sums of money, not exceeding the sum of fifty thousand dollars, with interest, not exceeding eight per centum per annum, exempt from taxation, except

for state purposes, for the purpose of building, erecting and appropriately furnishing a school house sufficiently large to accommodate the rapidly increasing population of said ward or district; and for this purpose, as often as money shall be borrowed, the directors of said district are hereby authorized to issue bonds, in denominations not less than one hundred dollars, to be signed by the president of said board, and attested by the secretary thereof; and the said board of directors or their successors are also authorized and empowered to sell, alien and dispose of any real estate belonging to said district, when it shall no longer be deemed by them necessary for school purposes therein, and to raise, by special tax in said ward, a sum not exceeding five thousand dollars in any one year, in addition to the tax now authorized by law, for the purpose of aiding in the erection of said building and paying the loan authorized by this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 296.

An Act

Supplementary to an act to provide for the collection of arrears of bounty due to volunteers from the township of Mehoopany, Wyoming county, approved April second, Anno Domini one thousand eight hundred and sixty-nine.

WHEREAS, An act was passed, approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, authorizing the supervisors of Mehoopany township, Wyoming county, to levy a tax to pay arrears of bounty due to volunteers, with a supplement, approved the tenth day of February, one thousand eight hundred and seventy, exempting the property of soldiers, their widows and orphans from taxation under said act:

And whereas, A sum sufficient to discharge said indebtedness was not authorized to be levied and collected; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved April second, Anno Domini one thousand eight hundred and sixty-nine, and the supplement thereto,

approved February tenth, one thousand eight hundred and seventy, mentioned in the above preamble, be and the same are hereby revived; and the supervisors of said township are hereby authorized to levy an additional tax under said laws, not exceeding ten mills on the dollar on the basis of the last adjusted valuation; and if any money remains after discharging the indebtedness aforesaid, it shall be paid over to the treasurer of said township for township purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 297.

A Further Supplement

To an act, entitled "An Act relating to the draining of wet or spouty lands in certain counties," approved April four, one thousand eight hundred and sixty-three, extending the provisions of the same to the draining and ventilating of coal and other mines in Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act relative to the draining of wet or spouty lands in certain counties," approved April four, Anno Domini one thousand eight hundred and sixty-three, be and are hereby extended to the county of Indiana, for the draining and ventilating coal and other mines in said county; and the proceedings for the draining and ventilating of coal and other mines in said county shall be agreeable to the provisions of the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 298.

An Act

To authorize the borough of Coatesville, in the county of Chester, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess and town council of the borough of Coatesville, in the county of Chester, be and they are hereby authorized and empowered to borrow, in the name and upon the faith and credit and responsibility of the said borough, any sum or sums of money, not exceeding in the whole the sum of thirty thousand dollars, in addition to any sums heretofore authorized to be borrowed, and to issue bonds or certificates of indebtedness in the name of the said borough of Coatesville, under the corporate seal, attested by the burgess and treasurer or secretary, to the purchaser or purchasers of said loan, in such sums as the said borough authorities may see proper, and bearing such rate of interest, not exceeding seven per centum per annum, and redeemable at such times as may be agreed upon ; and to levy, assess and collect such taxes from time to time as may be necessary to pay the interest on such loans, and to redeem the principal at such times and in such manner as may be conformable to the terms upon which the same shall have been taken.

Burgess and council may borrow money.

SECTION 2. That the said authorities shall also have power, from time to time, to borrow money in the name aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the last preceding section, and shall have all the powers for levying, assessing and collecting taxes for the purpose of redeeming the same, principal and interest, as are given in the first section of this act in relation to the original loans.

May borrow money for redeeming loans, and levy taxes.

SECTION 3. That the said borough authorities shall have power to appropriate the moneys borrowed by virtue of the provisions of this act, to the payment of the indebtedness incurred and to be incurred in erecting water-works, and supplying the said borough with water as authorized by laws, and for the purpose of improving the streets and highways of said borough, and for such other purposes as the said authorities may lawfully direct.

How borrowed moneys may be appropriated.

SECTION 4. That the said borough authorities shall have power to levy and collect annually, for borough purposes, and for the purposes authorized by this act and prior acts of assembly, any tax not exceeding one per cent. on the dollar on the valuation assessed for county purposes, as now is or may be provided by law ; all property, offices, professions, occupations and persons made taxable by the laws of this commonwealth, for county rates and levies, shall be taxable

Taxation for borough purposes, relative to.

after the same manner for said borough purposes, and for the purposes authorized by this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 299.

A Supplement

To an act passed the sixteenth day of March, Anno Domini eighteen hundred and forty-eight, entitled "An Act to incorporate the Pittsburg Gas Company."

Preamble.

WHEREAS, The said Pittsburg Gas Company is the owner in fee simple of a lot or piece of ground, situate at the southeast corner of Smithfield and Diamond streets, city of Pittsburg, Allegheny county, on which is erected a building heretofore used as an office for said company, and which said company has ceased to use for that purpose, and the trustees of said company having concluded to sell the same; therefore,

Authorized to sell lot.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Pittsburg Gas Company be and the same is hereby fully empowered and authorized to sell and convey the aforesaid lot or piece of ground, to such person or persons, for such terms and for such price as a majority of the trustees of said company shall direct, and to make, execute and deliver to the purchaser or purchasers thereof a good and sufficient marketable title and deed or deeds of conveyance for the same, in fee simple; the said deed or deeds and title in fee simple to be made, done and executed in the manner directed by law in the case of deeds of conveyance made by corporations in this commonwealth, with full powers in said trustees to receive and receipt for the purchase money for said premises, and to take and receive a bond or bonds, or mortgage or mortgages, for said purchase money, or any part thereof, and upon the payment of the same, to give full receipt or acquittance for the satisfaction of such bonds, mortgage or securities.

May, hereafter, sell real estate as trustees shall direct.

SECTION 2. That whenever hereafter it shall become necessary, in the opinion of a majority of the trustees of said Pittsburg Gas Company, to sell any real estate of said com-

pany, that the said company shall have full power and authority to sell the same as the trustees thereof shall direct, and upon such terms as such trustees shall direct, and with full powers in said company to make the necessary titles and deeds of conveyance, and to receive the necessary securities or evidence of indebtedness to carry such sales into effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 300.

A Supplement

To an act, entitled "An Act to incorporate the Odd Fellows' Hall Association of the borough of Mifflintown, Juniata county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Jacob G. Snyder, E. W. H. Kryder, Daniel Pannebacker, John Keller, John T. Metlen, Thomas B. Coder and H. M. Groninger be and are hereby declared to be the legal successors of the persons named in the act of which this is a supplement, with full power to exercise all the rights, privileges and franchises enjoyed by the corporators named in said act.

Certain persons declared successors of those named in act of incorporation

SECTION 2. That the association above named be and the same is hereby authorized to issue fifteen hundred (1,500) shares additional capital stock, at five dollars (\$5) per share, or so much thereof as they may deem necessary, and to sell the same, under such regulations as they or a majority of the stockholders of said association may adopt, and with the proceeds construct a building or buildings, for the purposes mentioned in the act to which this is a supplement; and the holders of said stock are hereby constituted members of said association, and they and their assigns shall be the legal successors of said corporators.

Association may issue and sell additional shares of capital stock.

May erect buildings.

Stockholders constituted members.

SECTION 3. The said association shall provide a transfer book, upon which all transfers of said stock shall be made; and no holder of stock of said association shall be entitled to vote or exercise any of the franchises of a stockholder unless he be an original stockholder, or the transfer to him of the stock which he hold be made upon the transfer books of said association.

Transfers of stock.

What stockholders entitled to vote, &c.

Trustees may
lease part of
buildings.

SECTION 4. The trustees of said association shall have power to lease such part of said building or buildings, not occupied by Mifflintown Lodge, number one hundred and thirty-one, I. O. O. F., for any lawful public or private business purposes which may seem expedient to said trustees.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 301.

A Supplement

To an act approved April sixth, one thousand eight hundred and fifty-nine, entitled "An Act to incorporate the Hestonville, Mantua and Fairmount Passenger Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Hestonville, Mantua and Fairmount Passenger Railroad Company shall have the right to extend their road by laying a single or double track from the Lancaster turnpike, along Fifty-second street, to Elm street, upon such terms and conditions as the city councils may agree upon.

May extend
road.

SECTION 2. A list of the stockholders in this company shall be kept in the office of the company, and with the stock ledger and stock transfer books, shall be open to the inspection of any stockholder, at all times during business hours.

List of stock-
holders to be
kept, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 302.

A Supplement

To an act approved the first day of March, Anno Domini one thousand eight hundred and seventy, entitled "An Act authorizing the school directors of Chapman township, Clinton county, to levy and collect a bounty tax."

WHEREAS, A tax of two per centum on the dollar of the assessed valuation of property, et cetera, in said school district, for the year Anno Domini one thousand eight hundred and seventy, has been levied according to the provisions of said act, a large portion of which is levied upon unseated lands, and will not be collected until the year Anno Domini one thousand eight hundred and seventy-two:

Preamble.

And whereas, Other taxes may hereafter be required to be laid for the purpose mentioned in said act, and there has been no registry kept of the bonds issued by the school directors of said school district, for the purpose of raising money to pay volunteers to fill the quota of said township in the late rebellion, and there is no means by which said school directors can ascertain the amount of indebtedness of said district, and there is danger of spurious claims, upon forged bonds and otherwise, being made upon the fund to be raised for the payment of said indebtedness; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all legal proceedings to collect said bonds and judgments thereon, other than that provided in said act and this supplement, be and the same are hereby stayed for two years.

Proceedings to collect bonds, &c., stayed.

SECTION 2. That the court of common pleas of Clinton county is hereby authorized, upon petition of any school director, or any person or persons otherwise interested, to appoint a person learned in the law, as an auditor, who shall ascertain, determine, and, at the next term of said court after such appointment, shall report to said court all claims against said school district due and to become due, on bonds, judgments, et cetera, for bounty purposes; the said auditor shall give at least four weeks' notice in two newspapers published in said county, and by at least five handbills posted in public places in said school district, of the time and place of hearing all parties having such claims; and all such parties shall then and there present and make due and legal proof of the same, or be forever debarred from receiving anything out of said tax, or the fund to be raised by the virtue of said act and this supplement thereto; and upon report made by said auditor to said court, unless exceptions are filed thereto within ten days after such filing, the same shall be confirmed absolutely, and be conclusive of the rights of all parties concerned: *Provided*, That in cases of dispute and contest, before said

Court to appoint auditor to ascertain claims against district.

Notice of hearing.

Claimants to present claims.

Report.

Feigned issues
may be awarded
in certain cases.

auditor, in matters of fact or law, and in case of exceptions filed to said report, as to matters of fact or law, either party concerned may make application to said court before the expiration of said ten days, and the said court shall thereupon award feigned issues to try the issues thus raised before a jury in said court.

Upon confirma-
tion of report,
treasurer to dis-
tribute funds.

SECTION 3. Upon confirmation of said report the treasurer of said bounty fund shall distribute all funds, raised under said act and this supplement, from time to time, under the direction of said court, to those entitled thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 303.

A Further Supplement

To an act to incorporate the Mount Moriah Cemetery Association of Philadelphia, approved the twenty-seventh day of March, one thousand eight hundred and fifty-five, authorizing the purchase of additional land.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mount Moriah Cemetery Association of Philadelphia be and is hereby authorized to purchase additional lands adjoining the present cemetery, not exceeding one hundred and fifty acres, to be held, used, occupied, sold and disposed of by the said association, their successors and assigns, for the purposes, and under the provisions of the present charter of the said association and the supplements thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 304.

A Supplement

To an act approved March second, one thousand eight hundred and sixty-six, to extend the time for completing the Buffalo, Bradford and Pittsburg railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for completing the said Buffalo, Bradford and Pittsburg railroad is extended to the first day of January, one thousand eight hundred and seventy-seven.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 305.

A Further Supplement

To an act incorporating the Lehigh Vailey Fire Insurance Company, approved March thirtieth, one thousand eight hundred and sixty-six, allowing a withdrawal of the capital stock paid in, and providing that the same be a mutual company only.

WHEREAS, Said company now have powers to insure on Preamble. the stock and on the mutual principle:

And whereas, Policies have been issued on the mutual principle only:

And whereas, Ten thousand dollars of the capital stock has been paid in; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the directors of said company, with the approval of the holders of a majority of said capital stock, to withdraw said stock and pay the amount thereof paid in to the parties entitled thereto.

Withdrawal of stock authorized.

SECTION 2. That if said stock be withdrawn as above provided, thereafter the powers and liabilities of said corpora-

If stock be withdrawn, company made mutual.

tion shall be those of a mutual company only, as provided by said act of incorporation and the supplements thereto.

SECTION 3. That at all elections for directors of said company, held after the withdrawal of said stock, each policy holder shall be entitled to one vote.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 306.

An Act

To repeal the sixth section of an act passed the eighth day of April, Anno Domini one thousand eight hundred and sixty-seven, for the county of Huntingdon, and extended to the county of Mifflin, as approved on the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight, for the protection of wild turkeys, squirrels, et cetera.

WHEREAS, The sixth section of said act so extended has become burdensome and oppressive to the citizens of Mifflin county, on account of the large amount of money it takes from the county treasury annually to pay for bounties on fox, pole-cat, hawk and owl scalps, the amount aggregating in the year closing January first, Anno Domini one thousand eight hundred and seventy-one, the sum of eleven hundred and nine dollars (\$1,109;) therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the section of the foregoing act referred to in the preamble is hereby repealed as far as the county of Mifflin is concerned.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 307.

An Act

To repeal an act approved the third day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to repeal the sixth section of an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon," approved the eighth day of April, one thousand eight hundred and sixty-seven, and to repeal and change certain parts of said act, approved the eighth day of April, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That an act approved the third day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to repeal the sixth section of an act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon," approved the eighth day of April, one thousand eight hundred and sixty-seven, be and the same is hereby repealed; and the said sixth section is hereby restored, the same as if the said repealing act had not been passed.

Act of 3d April,
1869, repealed.

SECTION 2. That the second section of an act approved the eighth day of April, one thousand eight hundred and sixty-seven, entitled "An Act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon," be and the same is hereby repealed; and the first section of the said act be and the same is hereby so far altered and repealed, that wild turkeys may be shot in the county of Huntingdon, between the fifteenth day of October and the first day of January, but at no other time.

Second section
of act of 8th
April, 1867, re-
pealed.

First section al-
tered.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 308.

A Further Supplement

To an act authorizing the governor to incorporate the Bear Mountain Railroad Company, and for other purposes, passed thirteenth July, one thousand eight hundred and forty-two, extending the time for completing the road, and empowering the company to increase its capital stock and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the completion of the Bear Mountain railroad, as authorized by the act aforesaid and its several supplements, under the terms and conditions thereof, be and the same is hereby extended for the term of five years from the passage of this act.

Time for completing road extended.

Stockholders may authorize directors to increase capital stock.

Proviso.

May authorize directors to borrow money.

Proviso.

Proviso.

SECTION 2. That the stockholders of the said company, at a meeting or meetings properly called for the purpose, may authorize the board of directors to increase the capital stock to an amount sufficient to build and equip their railroad, as authorized by the act aforesaid and its several supplements: *Provided*, That the whole amount of the capital stock shall not exceed two millions five hundred thousand dollars.

SECTION 3. That the stockholders of the said company, at a meeting or meetings properly called for the purpose, may also authorize the board of directors to borrow money, for the use of the company, at such rate of interest as the said stockholders may decide upon, not exceeding eight per centum per annum, and to secure the payment of the same by a mortgage or mortgages on the property and franchises of the company: *Provided*, That the amount of money so authorized to be borrowed shall not exceed one million of dollars: *And provided further*, That no bond shall be issued for a less sum than one hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 309.

An Act

To repeal an act relating to public roads in Snyder and Juniata counties, and to extend the provisions of the first, second, third and fourth sections of an act passed the twenty-fourth day of February, one thousand eight hundred and forty-five, entitled "An Act relative to public roads in certain counties therein named," to Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act approved the twenty-ninth day of March, one thousand eight hundred and fifty-nine, entitled "An Act relating to public roads in Snyder and Juniata counties," be and the same is hereby repealed so far as the same relates to Juniata county.

Act of 29th
March, 1859, re-
pealed.

SECTION 2. That the provisions of the first, second, third and fourth sections of the act of the twenty-fourth day of February, one thousand eight hundred and forty-five, entitled "An Act relative to public roads in certain counties therein named," be and are hereby extended to Juniata county.

Certain pro-
visions ex-
tended to.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 310.

An Act

To authorize and empower the orphans' court of Berks county to appoint a trustee to sell certain real estate in said county.

WHEREAS, Frederick C. Bischoff, late of the city of Reading, Berks county, Pennsylvania, deceased, by his last will and testament, proved the twentieth day of September, one thousand eight hundred and thirty-four, after devising the use of his two houses and half lots of ground to his wife Catharine, as long as she lives in her widowhood, did, among

other things, provide as follows: "Further, I devise to my daughter, Elizabeth Bischoff, after the death of her mother," (which occurred in October, eighteen hundred and sixty-seven,) "the house and half lot of ground in Duke (now Seventh street,) number two hundred and ninety-eight, as her property as long as she lives, and to my daughter, Sarah Bischoff, I devise the house and half lot of ground on Prince (now Sixth) street, number one hundred and twenty-three, as her property as long as she lives, and the descendants of Elizabeth Bischoff and Sarah shall be the heirs:"

And whereas, The property above devised to Sarah Bischoff, now Sarah Williams, situate on the east side of South Sixth street, in the city aforesaid, being the house and half lot of ground on Prince street, number one hundred and twenty-three, as described in said will, is in a very dilapidated condition, greatly in want of repairs and scarcely tenantable on account of dampness, the house being considerably lower than the pavement, owing to the filling up of the street, and it would be greatly to the advantage of the life tenant, and it is believed not prejudicial to the interest of those in remainder, that the property so as aforesaid devised to Sarah Bischoff, now Sarah Williams, be sold and the money arising therefrom securely invested; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on the petition of the said Sarah Williams, the orphans' court of Berks county is hereby authorized and empowered to appoint a trustee to sell the real estate so as aforesaid devised to Sarah Bischoff, now Sarah Williams, at public sale, for the best price that can be obtained therefor, and to execute good and sufficient deeds of conveyance, in fee simple, to the purchaser or purchasers; and that the said trustee shall invest the proceeds thereof, after deducting the proper costs and charges of the trust, under the control and direction of the said court, the interest thereof to be paid to the said Sarah Williams during life, and after her death, the principal to the persons thereto entitled under the will of said Frederick C. Bischoff, deceased: *Provided,* That before any order of sale be issued by the court, the trustee shall file a bond in the orphans' court in double the probable amount of proceeds of such sale, with surety approved by the said court, conditioned for the faithful application of said proceeds of sale.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 311.

A Supplement

To an act to authorize Henry B. Masser and John H. Fisher to establish and maintain a ferry over the Susquehanna river, at Selinsgrove, approved March twentieth, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be lawful for the said corporators, or either of them, or their aliens, to charge not more than twenty-five cents for each passenger in the day time; and that the original act, wherein it conflicts herewith, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 312.

An Act

Recognizing the Tyson Mining Company as a body corporate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Tyson Mining Company, incorporated by act of assembly of Maryland, of eighteen hundred and sixty-seven, chapter eighty-eight, be and the same is hereby recognized as and held to be a body politic and corporate, by the name of the Tyson Mining Company, and authorized and empowered by that name to sue and be sued, and to exercise within this state the corporate powers and privileges so far as aforesaid conferred upon it in the state of Maryland.

Recognized as
a body corpo-
rate.

Name.

Privileges.

SECTION 2. That all acts, conveyances, contracts and agreements heretofore done or made by or with the Tyson Mining Company, so as aforesaid incorporated in Maryland, or its

Conveyances,
contracts, &c.,
heretofore made
validated.

lawful agents, shall be as valid and admissible in evidence, and have the same force and effect in law, as if this act had been passed before the time of making or entering into said acts, conveyances, contracts or agreements.

Construction.

SECTION 3. That nothing herein contained shall be so construed as to authorize said company to issue any stock other than that authorized by said act of assembly of Maryland, or to hold, at any one time, more than five thousand acres of land, whether the same be situated entirely within this state or partly in this state and partly in another state or states.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 313.

A Further Supplement

To the act, entitled "An Act establishing a health office and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes," approved twenty-ninth January, one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the annual salary of the lazaretto physician shall be two thousand five hundred dollars, and the salary of the quarantine master shall be two thousand dollars, payable quarterly; and no fee shall be received by either of said officers after the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 314.

An Act

Supplementary to an act providing for the annexation of the borough of North Lebanon to the borough of Lebanon, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess of the consolidated borough of Lebanon shall generally have and exercise all such powers and jurisdictions, and perform all such duties as may be prescribed by the laws of this commonwealth, or by the by-laws, ordinances, regulations and resolutions of said borough; and it shall be his duty, in the exercise of his jurisdiction, powers and duties, to see that the said by-laws, ordinances, regulations and resolutions shall be executed, and to be vigilant and active in causing the same to be duly enforced; also, to preserve the peace and promote good order within the said borough, as well as to secure the comfort and happiness of the citizens thereof, and of all strangers and sojourners therein; the said burgess shall have jurisdiction within and throughout the said borough of all actions, complaints and proceedings, for fines, penalties, prosecutions and forfeitures imposed or enacted, or which may hereafter be imposed and enacted by the laws of this commonwealth, relative to said borough, and the by-laws, ordinances, regulations and resolutions of said borough, and for the prevention and punishment of offences, violations and neglects of duty, as prescribed and provided for by the said by-laws, ordinances, regulations and resolutions, and to hear, try and determine the said actions, prosecutions, complaints and proceedings, as fully, and in the same manner and with the same rights and privileges, as any justice of the peace of said borough has by virtue of the laws of this commonwealth, or may hereafter have jurisdiction and power to exercise, do and perform; the said burgess shall also have, hold and exercise criminal jurisdiction and power throughout the said borough as a justice of the peace of this commonwealth, and generally, as a conservator of the peace, in respect to, concerning, and so far as regards all statutes of this commonwealth, which may be done or committed within the said borough or elsewhere, as largely and fully, and in the same manner as the same jurisdiction and powers are or may be held and exercised by any justice of the peace of this commonwealth within the district or ward for which he may be appointed; the said burgess shall receive the same fees for services rendered in the exercise of his jurisdiction and powers, in all criminal cases and proceedings, and in all cases and proceedings under the laws and

Powers, jurisdiction and duties of chief burgess.

Fees.

statutes of this commonwealth, as may be allowed to the justices of the peace of this commonwealth respectively; and for services rendered in the exercise of his jurisdiction and powers, in cases and matters as directed and provided for by the ordinances and by-laws of said borough, the said burgess shall receive such fees and perquisites or such compensation as shall be prescribed and provided for by the by-laws and ordinances of said borough; the said burgess shall have and keep a suitable apartment and office within the said borough, for the exercise of his jurisdiction and powers, and the trans-
 Office. action of business relating thereto; the office to be furnished and provided by and at the expense of the burgess, or as directed by the by-laws, ordinances, regulations and resolutions of said borough; the said burgess shall have and keep a
 Docket. docket, in which he shall enter and record, or cause to be entered and recorded, all acts, process, judgments, orders and proceedings, by and before him, in all actions, prosecutions, complaints and proceedings before him, as aforesaid, in the same manner as is required of the justices of the peace of this commonwealth in their districts respectively; the said docket of the said burgess, and the entries and records therein, and transcripts thereof, certified by the said burgess, under his seal, shall be proved and be competent evidence for all purposes, in the same manner as the docket entries, records and transcripts of the justices of the peace of this commonwealth are or may be required to be proved, and are or may be competent evidence.

Docket entries,
 &c., to be evi-
 dence.

Proceedings
 for violation of
 by-laws, ordi-
 nances, &c.

SECTION 2. That all actions, prosecutions, complaints and proceedings for violation of the by-laws, ordinances, regulations and resolutions of said borough, and for fines, penalties and forfeitures imposed or enacted thereby, which shall be brought before the burgess or justice of the peace of said borough respectively, shall be instituted in the corporate name of the said borough; those which shall be brought for a violation of an offence against the laws of the commonwealth relating to said borough, and for fines, penalties and forfeitures imposed and enacted thereby, shall be instituted in the name of the commonwealth, or as prescribed by the said laws of the commonwealth; and all other actions, prosecutions, complaints and proceedings, so brought, for fines, penalties or forfeitures, imposed on or enacted by the laws or statutes of this commonwealth, shall be instituted and conducted as provided by law; and all warrants, writs, orders and process in and concerning the said actions, prosecutions, complaints and proceedings, or in and concerning any criminal prosecutions, complaints, case or proceeding made and issued by the said burgess and justice of the peace respectively, shall be made, directed and issued to any of the police or other constables of the said borough, who shall respectively serve, obey and execute the same anywhere within the said borough or county of Lebanon, or in any of the cities or counties of this state, under the provisions of the act of assembly of this commonwealth, passed the sixteenth day of April, Anno Domini one thousand eight hundred and twenty-seven, entitled "An Act concerning backing of warrants by justices of

the peace," or the same may be issued and served, and executed anywhere in the said borough and county, by special constables or other persons, as provided by law.

SECTION 3. That it shall be the duty of every police officer of the said borough to serve, execute, obey and perform, anywhere within said borough and county of Lebanon, all warrants, orders, writs and process, made or issued by the said burgess or any justice of the peace of said borough, in pursuance of the aforesaid jurisdiction and powers of the said burgess or justice of the peace, and which may be directed, issued or delivered to the said police constables; and every such police shall have power so to do, and also have authority as a conservator of the peace, to be exercised anywhere within the said borough; and it shall be his or their duty to do and perform all acts and things, which he or they may be required to do and perform by the by-laws and ordinances of said borough.

Police officers,
duties, powers,
and authority
of.

SECTION 4. That if any person or persons shall think himself aggrieved by any judgment against him as defendant, by the burgess or any justice of the peace of the borough, in any action, prosecution or proceedings for any fine, penalty or forfeiture, imposed or enacted by or under any law or statute of this commonwealth relative to said borough, or by or under any ordinance, by-law, resolution or regulation of the said borough, such persons may, if the said judgment shall exceed five dollars exclusive of costs, appeal from the said judgment to the court of common pleas of Lebanon county: *Provided*, That such person shall enter into a recognizance to the said borough, with one or more sufficient sureties, whose sufficiency shall be approved by the burgess or justice of the peace, before the said burgess or justice of the peace, in a sum sufficient to cover the said judgment and all costs that have accrued, or that may thereafter accrue in the said case, conditioned that such defendant shall prosecute his appeal with effect: *And provided*, That such appeal shall be taken, the recognizance entered into, and a certified transcript of the judgment and recognizance to be furnished by the said burgess or justice of the peace to the defendant, on his demand therefor, shall be filed by the said defendant, in the office of the prothonotary of the said court, within twenty days after the rendition of the said judgment; in case the said transcript shall not be so filed within the said time, the burgess or justice of the peace shall proceed in the said case as if no such appeal had been taken; and in case of the forfeiture or breach of the condition of the said recognizance, the same shall be brought in the name corporate of said borough, and recovered in an action of debt thereon, in the same manner as debts or contracts of like amount are sued and recovered by the laws of this commonwealth: *Provided further*, That the said burgess or justice of the peace may issue process or execution on the said judgment, immediately on the rendition of said judgment, and before the expiration of the aforesaid twenty days, unless an appeal shall at the time have been taken, and the said recognizance entered into; the said process and execution to be stayed on the payment

Appeals from
judgments of
burgess or jus-
tices, regulated.

of the costs of said execution ; on an appeal being taken and recognizance entered into, and transcript filed as aforesaid, the proceedings on the said appeal, in any judgment thereon in the said court, shall be by the said court, with like process, proceedings and writs of execution, as directed or authorized by the acts of assembly of this commonwealth: *And provided*, That in case of a judgment for the defendant, by the burges or justice of the peace, in any such action or prosecution instituted in the name of the said borough, for a fine, penalty or forfeiture greater than the sum of five dollars, the said borough shall have the same right of appeal as the defendant, as aforesaid, under the same terms and conditions, except entering into recognizance as aforesaid.

Burges or justices may issue subpoenas.

SECTION 5. That it shall and may be lawful for the said burges or justice of the peace, before whom any complaints, matter or thing of a civil or criminal nature, within his or their jurisdiction, shall be made or pending, to issue a subpoena in common form, to any person or persons within this commonwealth, commanding him or them to give evidence therein ; and every persons to whom the same shall be directed, and on whom service thereof shall have been duly made, shall attend accordingly, and give evidence under such pains and penalties as are by law incurred, by any person or persons refusing to attend and give evidence, before any justice of the peace or courts of this commonwealth, when duly subpoenaed for that purpose.

Persons subpoenaed to attend and give evidence.

Powers and authority of council.

SECTION 6. That the town council of the borough aforesaid have the power and authority to enact by ordinance and by-law, not conflicting with the laws of this commonwealth, relating to peace and order of said borough, and the safety of the inhabitants thereof, and inflict, for any violation of the same, a fine not exceedidg twenty-five dollars, or imprisonment in the county jail for a period not exceeding twenty days.

Keeper of county jail to keep prisoners committed by burges or justices.

SECTION 7. That the keeper of the Lebanon county jail is hereby enjoined and required to receive and keep in safe custody, in the prison of said county, at the expense of said county, until legally discharged therefrom, any person or persons who may be committed by lawful process, issued by the burges or any justice of the peace of said borough.

When councilmen to be inducted into office.

SECTION 8. That the members of council hereafter elected from the several wards in said borough shall not be inducted into office until the first Monday of January ensuing their election ; and that the term of the several members of council now elected, whose terms expire in October, Anno Domini one thousand eight hundred and seventy-one, be and the same are hereby extended to the first Monday in January, Anno Domini one thousand eight hundred and seventy-two ; and that the term of the several members of council now elected, whose terms expire in October, one thousand eight hundred and seventy-two, be and same are hereby extended to the first Monday in January, Anno Domini one thousand eight hundred and seventy-three ; the pay of members of council shall be regulated by ordinance, but shall not exceed fifty dollars each per year.

Terms of present councilmen extended.

Pay of councilmen.

SECTION 9. That the council of said borough shall assemble, and every month in the year, and oftener if occasion shall require, seven of whom shall constitute a quorum for the transaction of all business appertaining to the powers and duties of said council; at their meeting in January the council shall proceed and elect one of their members as president of said council, who shall serve in such capacity during the ensuing year, and who shall perform all such duties as may be prescribed by the by-law, ordinances and regulations of said council.

Meetings of council.

Quorum.

President.

SECTION 10. That the qualified voters of the borough of Lebanon shall meet in their several wards on the second Tuesday of October, Anno Domini one thousand eight hundred and seventy-one, and on the second Tuesday of October of each succeeding second year thereafter, and elect, by ballot, one person, who shall have been a citizen of said borough for at least ten years preceding his election, to be burgess of said borough, for the term of two years, commencing on the first Monday of January following such election; and that term of the present burgess, expiring in October next, be and the same is hereby extended to the first Monday in January, Anno Domini one thousand eight hundred and seventy-two.

Election of burgess.

Term of present burgess extended.

SECTION 11. That any by-law or ordinance which shall have been passed by the said council shall be presented to the burgess; if he approves it he shall sign the same, but if he shall not approve he shall return it, with his objections, to the council, who shall proceed to re-consider it; if, after such re-consideration, eight members of the council shall agree to pass such by-law or ordinance, it shall be a binding by-law or ordinance, and become a law, valid to all intents and purposes, as if the same had been approved by said burgess; but in all such cases the votes of council shall be determined by yeas and nays, and the names of members of council so voting shall be entered on the minutes of said council; every by-law or ordinance which the burgess shall not return within fifteen days, shall have the same force and effect as if it had been approved of by said burgess; the burgess may approve ordinances in vacation of council, and may call special meetings of council to re-consider ordinances which he does not approve, or to transact such business as he may deem necessary, on one day's notice to each member of said council; and in case of the temporary absence or inability of the burgess to act, the council shall, if necessary, appoint a burgess to serve until he shall return or be able to resume the duties of his office; and whenever a vacancy shall occur in the office of burgess, by death or otherwise, it shall be the duty of council to meet and elect, *viva voce*, a person qualified to serve as burgess, who shall continue in office during the unexpired term; any additional compensation beyond the regular fees of the office of burgess shall be fixed by council, but shall not exceed the sum of two hundred dollars.

By-laws and ordinances.

Temporary absence or inability of burgess.

Vacancy in office of burgess.

Additional compensation limited.

SECTION 12. That the office of assistant burgess in said borough be and the same is hereby abolished.

Office of assistant burgess abolished.

SECTION 13. That the said council shall, on the first day of

Council to publish statement of moneys received, taxes levied, &c.

January in every year, cause to be published in one or more newspapers printed in the said borough, a just and true account of all the moneys which shall have accrued to them in their corporate capacity during the year preceding such publication, and also of the disposition thereof, exhibiting the amount of taxes levied and assessed on all taxable property, and on all persons, together with the rents of the market house and stalls on the streets, and all other revenue of the said borough, also exhibiting all outstanding taxes and revenues of every kind; also the credits for all exonerations of taxes which could not be collected, the amount of percentage paid for collecting taxes, and all other revenue of said borough, together with all the expenses of the borough, all outstanding debts due by said borough, including the permanent or funded debt.

Special elections for councilman.

SECTION 14. That upon the death, resignation or removal from the borough of any member of council, the council may order new elections, as the case may require, to be held at such times as shall be by such council respectively appointed, of which at least ten days' previous notice shall be given by the high constable, by handbills posted up in the most public places within the proper ward; which election shall be held in the proper ward by the general election officers of said ward, who are hereby enjoined to do and perform the duties required of them at such special elections, and to make return of such election as is provided by law; and in case of a tie vote between candidates for membership of council at any election, such candidates so having a tie vote shall appear at the proper day, when the council for which they were candidates is organized, and shall, in the presence of such council, determine by lot which of them shall become a member of the same, and the one in whose favor the lot shall determine shall be forthwith sworn in as a councilman.

Tie vote between candidates.

Clerk to council, treasurer and other officers.

SECTION 15. That the council shall, at their first meeting in January in each and every year, elect, by ballot, one person, a citizen of said borough, as clerk of council, whose duty it shall be to keep a correct record of the proceedings of council; he shall also keep such necessary account books as may be prescribed by ordinance, and perform all such other duties as may from time to time be prescribed; the said council shall also at the same time elect, as aforesaid, a borough treasurer, and such other officers as it may deem necessary, who shall perform such duties as may be prescribed by ordinance; but no officer so elected shall be a member of council.

Repeal.

SECTION 16. All laws, or parts of laws, relative to the borough of Lebanon, in conflict with this, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 315.

An Act

Authorizing savings institutions and trust companies to purchase the bonds of the American Steamship Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all savings institutions and trust companies in this state, which, by their charters of incorporation, are limited in their investments in public securities and stock, or loans on real estate, be and they are hereby authorized to invest any portion of their surplus funds in the purchase of the bonds of the American Steamship Company of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 316.

An Act

To authorize the orphans' court of Berks county to appoint a trustee to sell certain real estate in the city of Reading, late the property of Charlotte Heckman, deceased.

WHEREAS, Charlotte Heckman, late of the city of Reading, county of Berks, and state of Pennsylvania, deceased, by her last will and testament, duly proved in the register's office at Reading, the fifth day of February, Anno Domini one thousand eight hundred and sixty-three, did, among other things, devise as follows: "*Item.* I give and devise the house and lot of ground, with the appurtenances, situate on Fifth street, in the city of Reading, now occupied by me, to my grand-daughter, Charlotte Heckman, (the daughter of my deceased son William,) for and during her natural life, and after her decease to her children, (if any,) their heirs and assigns forever; and in case she, the said Charlotte, should die without issue, then my will is that the said property shall revert and vest as

follows: Six shares thereof to the children of my daughter Elizabeth, two shares to the children of my daughter Catharine Homan, and one share to Deborah Ann, a daughter of my son William Heckman, deceased, and to their heirs and assigns; my said grand-daughter Charlotte is not to have actual possession of said premises until she shall arrive at the age of twenty-one years, or the day of her marriage, whichever may happen first, and in the mean time I direct that the said property shall be in the care of my executor, hereinafter named, and the rents, issues and profits be applied towards the use and support of said Charlotte:”

And whereas, The said Charlotte Heckman, devisee above named, has attained her majority, and the real estate devised to her, consisting of an old one-story house and lot of ground, on the east side of Fifth street, below Spruce street, in the city of Reading, yields an annual rental of less than three per cent. of its cash value, and is now in such a condition as to require the expenditure of a large sum of money for permanent repairs; and it is believed to be greatly to the advantage of all parties interested in the said real estate that the same be sold, and the proceeds invested for the same uses and purposes and trusts as the said real estate is now held under the said will; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the orphans' court of Berks county, on the application of Charlotte Heckman, devisee, as aforesaid, and after due notice to all parties interested, are hereby authorized to appoint a trustee, who, under the control and direction of said court, shall have full power to sell, at public or private sale, the real estate so as aforesaid devised to Charlotte Heckman, for the best price that can be obtained therefor, and upon the return of the said sale and approval thereof by the said court, to execute a deed or deeds of conveyance, in fee simple, to the purchaser or purchasers thereof: *Provided*, That the proceeds of sale shall be securely invested by the said trustee, under the directions of the said court, the interest thereof to be paid to the said Charlotte Heckman during life, and after her death the principal sum to such persons as under the provisions of said will may be entitled thereto: *Provided further*, That before any order of sale shall be granted by said court, the trustee so appointed shall file a bond, in double the probable value of the property, with surety, to be approved by the court, conditioned for the faithful appropriation of the proceeds of such sale.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 317.

An Act

To incorporate the Passenger Conductors' Life Insurance Company of the United States.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That T. Sprole Leisenring, M. M'Atter, Walter Lackey, B. Ottis Warner, John B. Church, A. F. Rightmyer, George V. Ziegler, Samuel Toy, Thomas A. Robinson, Wm. B. Kenny, Jackson Bryant, Edwin M. Chase, John B. West, Enos Newbrough, R. T. Brown, Harry Holden, Frank Teny, George W. Hambright, Wm. H. Lummis, John Miller, M. I. Speakman, Warner Hauk, S. B. Smith and their associates, or any seven of them, be and they are hereby created a body politic, by the name, style and title of the Passenger Conductor Life Insurance Company of the United States, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name, property, real and personal and mixed, and of using and applying such property for the purpose of transacting the business of said company, upon such terms as may be agreed upon by contracting parties.

Corporators.

Title.

Powers and privileges.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper to enable them to carry out the object of the corporation, and the same to alter, amend, add to or repeal at their pleasure: *Provided,* Such by-laws shall not be contrary to the constitution of the commonwealth or the provisions of this act; and to adopt a common seal, and the same to alter and renew at pleasure; to issue certificates of membership, in such forms and subject to such regulations as they may from time to time by their by-laws prescribe, in what manner their contracts and obligations shall be executed.

By-laws.

Seal.

Certificates of membership.

Contracts.

SECTION 3. That the said company shall be exempt from state taxation; and that the office of said company shall be permanently located in the city of Philadelphia.

Exempt from state taxation Office.

SECTION 4. That the corporators named in this act shall elect persons to serve as officers of the company, and shall hold their office until their successors shall have been elected in accordance with the by-laws.

Officers.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 318.

An Act

To incorporate and establish the Monongahela College at Jefferson, in Greene county.

Preamble.

WHEREAS, A joint committee of the Ten-mile and Monongahela Baptist associations resolved in February, one thousand eight hundred and sixty-seven, to found a college within the bounds of the said association, and subsequently located the same at Jefferson, Greene county, Pennsylvania :

And whereas, In pursuance of the aforesaid resolution, the Baptists and others within the bounds of the Ten-mile Baptist Association, have donated money to purchase ground and erect a college edifice :

And whereas, About fourteen acres of land in the township of Jefferson, in the county of Greene, has been purchased by A. A. Purman, for the purpose aforesaid, and the college edifice is now in process of erection thereon, and will soon be completed :

And whereas, The Ten-mile Baptist Association has, at every annual session since one thousand eight hundred and sixty-seven, resolved to endow and support the said college, and have maintained the same since April first, one thousand eight hundred and sixty-nine :

And whereas, The Baptists of Western Pennsylvania, West Virginia and Eastern Ohio, owe it to the cause of sound morality, civil government and sound learning, in this section of the country, to erect, endow and support such an institution of learning :

And whereas, The chartering of a college to be placed under their patronage, supervision and direction, would be calculated to call forth their energies as well as concentrate, increase, develop and render effective the cultivation and promotion of sound public morals and learning, and thereby promote the general interests of religion, science, literature, good morals and civil government ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and hereby is erected, created and established, at or near the town of Jefferson, in the county of Greene, in this commonwealth, an institution of learning, to be called and named the "Monongahela College," with a female seminary, and such other departments appropriate for primary education and theological learning, as the patrons and managers of the said college shall find themselves able to maintain ; and its constitution shall be as follows :

Institution of learning established.

Name.

Management, &c.

ARTICLE FIRST.

SECTION 1. The said college, female seminary, theological department and primary school shall be under the manage-

ment, direction, government and supervision of not more than one hundred and fifty trustees, all of whom shall be members of the regular Baptist denomination, five of whom shall be a quorum, with such power and authority as hereinafter mentioned.

ARTICLE SECOND.

SECTION 1. The following persons shall be the trustees of ^{Trustees.} the said college and its departments, namely: Thomas W. Taylor, Samuel Harvy, John Smith, (of John D.,) Stephenson Garrard, Ezekiel Braden, Solomon B. Wise, Abner Ross, Zenas Axtel, George Hoskinson, Jesse Hill, Thomas B. Johns, Andrew A. Purman, Rev. Hugh K. Craig, Rev. Charles Tilton, Rev. Samuel Kindall, Rev. A. J. Collins, Rev. Job Russell, Rev. Morgan Tilton, Rev. Francis Downey, Rev. Lewis Sammons, Rev. W. F. Burwell, Rev. J. L. Yoders, Rev. W. A. Barnes, James C. Hawkins, John Hunt, Edmund Smith, Azariah Stephens, George Kent, J. C. Booker, Lewis K. Evans, Benjamin Shirk, George Huffman, J. Jackson Purman, T. Allen, of West Virginia, Francis Baldwin, J. Huffman, (of Pigeon Creek,) John R. Bell, Thomas Janes, (of Thomas,) Jacob Smith, Stephen Crayne, Simon Cowen, William Hoskinson, J. Moore, James Patterson, Isaac Hooper, H. Grandstaff, of West Virginia, Rev. William Conn, West Virginia, J. S. Karns, West Virginia, John Hagermon, West Virginia, Rev. J. Hickman, of Ohio, Rev. W. Hurlburt, of Ohio, Rev. J. A. Kirkpatrick, of Ohio, Rev. A. J. Furman, of Ohio, Jacob Greenlee, John E. Taylor, M. T. Evans, E. H. Denney, D. Rush, Joshua Ackley, D. Baker, D. Delaney, William Rush, M. Rush, E. Crumrine, Jesse Craig, Jacob Ross, John Pearson Minor, William Goodwin, Daniel Goodwin and Brazilla Stephens, which said trustees and their successors, to be elected as hereinafter mentioned, shall be forever hereafter, and they are hereby created, established and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the Monongahela College, by which name and title said trustees and their successors shall be able and capable, in law and in equity, to take and to hold in the aforesaid name for the use of the said college, any estate, in any messuages, lands, tenements, goods, chattels, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons, or body corporate whatsoever, and to hold fifteen acres of land, together with the improvements thereon, exempt from taxation, and all the annual income accruing from said estate, or from donations, bequests, devices, gifts and other property, for the use and purpose of the endowment of the said college, shall be exempt from taxation: *Provided*, The same does not exceed three hundred thousand dollars; and by the same name the said trustees shall sue and be sued, implead and be impleaded in any court of law or equity, in all manner of suits and actions whatsoever, and generally by and in the same name to do and transact all the business touching ^{Powers and privileges.}

or concerning the premises, or which shall be incidentally necessary thereto, as fully and effectually as any natural person or body corporate or politic has power to manage the concerns belonging to such person or body, to hold, enjoy and exercise all such powers, authorities and jurisdictions as are customary and usual in other colleges, female seminaries and theological institutions within this commonwealth.

Seal.

SECTION 2. Said trustees, for their use, shall cause to be made one common seal, with such devices and inscriptions thereon as they shall think proper, and by and with it all deeds, diplomas, certificates and acts of said corporation shall pass and be authenticated; and said trustees may at their pleasure alter their seal or break it and substitute a new one.

Organization.

SECTION 3. A quorum of said trustees shall meet at Jefferson, within six months from the date of this charter, and organize by the election of a president, secretary and treasurer from amongst their number; and the said trustees shall have power to increase their number by adding thereto not more than twenty-five, all of whom shall be members of the regular Baptist denomination; and the said trustees shall have power to fill all vacancies which may occur in said board by death, removal, resignation or otherwise: *Provided*, That the vacancies shall be filled by persons who are members of the regular Baptist denomination: *And provided further*, That whenever any trustee is excluded from the church his office of trustee is thereby vacated: *And provided further*, That the said board of trustees shall have power at any time to reduce their number to twenty-seven.

Trustees may increase number.

Qualifications. Vacancies.

May decrease number.

Meetings of trustees and their powers.

SECTION 4. The said trustees shall meet as often as twice a year, at or near the town of Jefferson, and at such particular times and place or places as said trustees, or quorum of them, shall appoint; and a quorum of said board shall be capable of doing and transacting all business and concerns of the said college not otherwise provided for by this act, and particularly of electing and appointing the president, professors, tutors and other teachers of the said college, of agreeing with them for their salaries, and of removing them whenever occasion requires it, and of appointing committees of their own body to carry into effect all the resolutions of the board, and to require the treasurer to give security as they may deem advisable, and to do all other acts and things necessary for managing the concerns of the said college: *Provided*, That said laws, rules and ordinances so made, or any of them, be not repugnant to the laws and constitution of the United States of America or to the laws and constitution of this commonwealth: *And provided further*, That the said trustees shall not have power to contract any debt or create any lien which shall in anywise effect, charge or encumber the lands and edifice of the said college, or in anywise subject it to the payment of any debt, except as contained in the original agreement, wherein the money was originally donated and the land purchased for the purposes of the said college.

To place at interest donations, &c.

SECTION 5. The said trustees shall place out at interest all donations, moneys and every species of property capable of producing revenue, (not herein already specified or excepted,)

which shall come into the hands of said trustees for the use and benefit of said institution, the principal or stock secured by bond and mortgage on real estate, or the bonds of this commonwealth or of the United States; and the interest or revenue thence accruing shall be exclusively and forever appropriated to the support of instruction in said college and the said college.

How interest to be appropriated

SECTION 6. Said trustees shall annually publish an abstract of the minutes of their doings, with the catalogue of said college or otherwise.

To publish abstract of minutes.

ARTICLE THIRD.

SECTION 1. The president, professors, tutors and other teachers, or a majority of them for the time being, shall constitute the faculty of the said institution, and in their respective departments shall have the power of enforcing the rules and regulations adopted by the trustees for the government and instruction of the students; and the president and professors, with counsel and consent of a quorum of the trustees, shall have power to grant and confirm unto the students of the institution, and others deemed worthy, such degrees in the liberal arts and sciences, or in certain branches thereof, as have been usually granted in other like institutions; to grant likewise to said graduates diplomas, under the common seal of the corporation, in order to authenticate and perpetuate the memory of such graduation, and to grant also certificates or diplomas to such students as have completed the course of studies prescribed in any department of the said institution.

Faculty and their powers.

ARTICLE FOUR.

SECTION 1. The curators of the said institution shall consist of the following persons, namely: The governor and secretary of this commonwealth, judges of the supreme court, the judges of the Fourteenth judicial district, the president and faculty of said institution, together with Hon. T. P. Pollock, Hon. Israel Craft, Hon. George Hennon, Hon. George V. Lawrence, Hon. Wm. M. M'Kennon, Hon. J. K. Ewing, Hon. Nathaniel Ewing, Hon. Jonathan Garrard, Hon. John C. Flenikin, Hon. R. W. Downey, Hon. Charles A. Black, Dr. D. W. Rogers, W. Meeker Denney, John K. Bell, John Bell, Senior, L. D. Inghram, Samuel Bayard, Col. Jos. W. Parkinson, Dr. Sylvanus Smith, T. R. M'Min, Wm. Black, Andrew A. Purman, A. J. Martin, Wm. Guyun, Daniel Murdock, John Dowlin, John S. Bayard, W. T. H. Pauley, Morgan Bell, Henry Bell, John Clayton, Silas Barnes, Jacob Johns, Thomas Jones, (of Ohio,) Hon. Mark Gordon, Hon. John B. Gordon, Hon. Patrick Donley, Hon. Robt. A. M'Connell, Dr. Spencer Morris, Thomas Hoskinson, (of Pittsburg,) Hon. Jeremiah S. Black, Hon. R. K. Campbell, Brazilla Stephens, Esq., Corbly Garrard, Marion Minor, Samuel Minor, John Bane, (of West Virginia,) James Ward, Jr., (of Ohio,) T. W. Ross, which persons and their successors, and such others as the said trustees of the said institution may deem it necessary to elect, and their successors, to be elected by the said trustees, in perpetual

Curators.

succession, are hereby made and declared to be and forever hereafter are to be known by the title of the Curators of the Monongahela College of Jefferson.

When to meet,
&c.

SECTION 2. Within one year from the date of this charter the said curators, or at least seven of them, shall meet at or near Jefferson, and appoint a president, secretary and treasurer, and such committees of their body as they may deem requisite, in order to a faithful and convenient discharge of their duties, and shall have power to adjourn from time to time, and from place to place, in Greene county; and seven of said curators shall be a quorum; and the said curators, or a committee of them, are required to attend all examinations and annual commencements of the college; and the said curators are hereby required and empowered to secure and raise funds to support and endow the college, and as soon as the same is collected, to pay the same over to the treasurer of the board of trustees; and the said curators are required to take a bond, with sufficient security, from their treasurer, for the faithful performance of his duties.

Quorum.

Duties.

To have access
to minutes of
trustees rela-
ting to moneys
raised, &c.

SECTION 3. Said curators are to have access to the minutes of the board of trustees relating to the moneys so raised and paid over to the treasurer of the board of trustees for the use and benefit of said college; and the said curators are required to keep a record of their meetings, and the said record shall be open to inspection of the board of trustees at all times; and the said curators are hereby required to publish and deliver to the board of trustees, annually, an account of their proceedings and the money received by them for the use and benefit of said college.

To keep record
of proceedings,
&c.

ARTICLE FIVE.

Misnomer.

SECTION 1. No misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, The intent of the parties shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from said corporation.

ARTICLE SIX.

Religious senti-
ments not to
hinder election
of teachers, &c.

SECTION 1. No religious sentiments are to be accounted a disability to hinder to the election of an individual to any office among the teachers of the institution, or to debar persons from admittance as pupils, or in any manner to abridge their privileges or immunities as students in any department of the said institution.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 319.

An Act

Authorizing the Morris Run Coal Company to increase the number of its directors and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Morris Run Coal Company, incorporated under the general law authorizing the formation of mining and manufacturing companies, approved ———, one thousand eight hundred and sixty-three, may, with the assent of a majority of its stockholders, increase the number of its directors from three, the present board, to any number, not less than five, to be determined in accordance with its by-laws.

May increase
number of di-
rectors.

SECTION 2. The said company shall have power, for such amount as shall be approved by the stockholders from time to time, to give mortgages on any part of their property, real, lease-hold, personal or mixed, with or without coupon bonds, bearing a rate of interest not exceeding eight per centum per annum.

May give mort-
gages on proper-
ty.

SECTION 3. This act shall take effect immediately.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 329.

An Act

Extending to the counties of Beaver, Franklin and Adams the provisions of an act relating to appeals and transcript from judgments of justices of the peace in the county of Juniata, approved April fourth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to

appeals and transcripts from judgments of justices of the peace in the county of Juniata," approved April fourth, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the counties of Beaver, Franklin and Adams.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 321.

A Further Supplement

To an act, entitled "An Act to incorporate the subscribers to the Insurance Company of North America."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Increase of capital stock, relative to.

That it shall be lawful for the said Insurance Company of North America, whenever a majority of the stockholders, at any meeting regularly convened, shall deem it expedient, and express their assent thereto, to increase the capital stock of the said company to the sum of one million dollars, the par value of the shares of the said stock to twenty (\$20) dollars: *Provided*, That the said amount of one million dollars, beyond reservations and claims, for existing business, shall be invested and set apart as the capital of the company.

Meetings of directors.

SECTION 2. That the stated meetings of the board of directors shall be held once every month, and occasional meetings at such other times as the president shall think proper.

Power to make insurances, enlarged.

SECTION 3. The officers of the company, or any of them, when authorized by the board of directors, shall have full power and authority, in the name and on behalf of the corporation, to make all kinds of marine insurance, all kinds of insurance by inland transportation, all kinds of insurance against fire in city, town and country, upon the life or lives of any person or persons, and to lend money upon bottomry and *respondentia*, and generally to transact and perform all the business relating to the objects aforesaid; but the said officers shall always act in conformity to such regulations as the directors may prescribe.

Repeal.

SECTION 4. That so much of any act relating to the said

company, as is hereby affected, altered or supplied, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 322.

An Act

To extend the provisions of an act, entitled "An Act to regulate medical practice in the counties of York, Indiana, Perry, Juniata, Adams, Bucks, Northampton, Lehigh and Elk," to the counties of Cameron, Clearfield, Montour and Fulton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to regulate medical practice in the counties of York, Indiana, Perry, Juniata, Adams, Bucks, Northampton, Lehigh and Elk," be and the same is hereby extended to the counties of Cameron, Clearfield, Montour and Fulton, and from and after the passage of this act all the provisions thereof shall be in full force in the said county of Cameron.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 323.

A Supplement

To an act incorporating the Buffalo Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Subscriptions to stock, validated.

That all subscriptions heretofore taken, or hereafter to be taken, to the capital stock of the Buffalo Valley Railroad Company, are hereby deemed and declared valid and binding, notwithstanding there were not paid five dollars on each share subscribed at the time of subscription, as required by the general act of assembly, approved nineteenth of February, Anno Domini one thousand eight hundred and fifty-nine.

Time for commencing work, extended.

SECTION 2. That the time of the commencement of work upon said road be extended three years from the date of the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 324.

An Act

To incorporate the Merchants' Bank of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Theodore R. Sitgreaves, John Tindall, George W. Lott, Amos Seip, Mark T. Warne, Jacob B. Odennelder, John Detwiler, Frederick W. Noble, George V. Wallace, Christian Nagle, John S. Noble, Stephen Beshler, George W. Stout, William Mutchler, Henry G. Taubler, M. Hale Jones, Daniel Lachenour and their successors, be and are hereby created a corporation and body politic, by the name and style of the Merchants' Bank of Easton, and by that name capable at law to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend in courts of law and equity, and elsewhere, with power to make and use a common

Name.

Powers and privileges

seal, and to alter and renew the same at pleasure, and generally to do any act or thing necessary to make effectual the provisions of this act, and promote the object and design of the incorporation, to be located at the borough of Easton, in the county of Northampton; all contracts, agreements and receipts of its agents to be valid and binding on said company, and no misnomer of said corporation, on any instrument, to invalidate the same, if the interest of the public can be clearly ascertained: *Provided*, That nothing in this act contained shall be so construed as to exempt the stockholders individually, from liability to pay all and any debts of the corporation, to the extent of double the total amount of the par value of stock held by them.

Location.

Misnomer.

Liability of stockholders.

SECTION 2. The business of said corporation shall be to receive, on deposit, from time to time, such sums of money, not less than five dollars at any one time, as may be offered by the public, and safely to invest the same in stocks, bonds or other securities, approved and valid, and the same to purchase, collect, adjust and settle; also, to sell and dispose of the same, in any market in the United States or elsewhere, without proceedings at law or equity, at such price and on such terms as may be agreed on between them and parties contracting with them; they shall pay depositors interest, on moneys deposited, at such rate as may be regulated by the board: *Provided*, All deposits, with interest, to be paid during business hours, on demand: *Provided*, That notice, in writing, for ten days previous, may be required, if more than one hundred dollars be called for by any one depositor on any one day.

Business.

Interest on deposits.

Payment on deposits.

SECTION 3. The company may lawfully hold real estate sufficient for the convenient transaction of its business, and may purchase other real estate, at judicial sale or otherwise, to secure debts due, with power to lease and sell the same in fee simple, or for a less estate, at option.

Real estate.

SECTION 4. The capital stock shall be two hundred thousand dollars, in shares of the par value of twenty-five dollars each, with liberty to increase the same from time to time, to any amount not exceeding four hundred thousand dollars, by a vote of the majority of the stockholders.

Capital stock.

SECTION 5. The commissioners named in the first section, or a majority of them, may open books for the subscription of stock, after ten days' notice, at the borough of Easton; such books to be kept open for three successive days, between the hours of nine A. M. and three P. M.; no person to subscribe for more than twenty-five shares the first day nor more than fifty the second day; ten dollars on each share to be paid at the time of subscribing, to make the same valid; and when twenty-five thousand dollars in the stock subscribed be paid in, the said commissioners shall hold an election for seven directors, after reasonable notice given, each share of stock to entitle the holder to one vote; such election to be conducted by said commissioners, who shall certify the result, whereupon the persons elected shall organize the board by choosing a president from their number, and such other officers as may be necessary outside.

Subscriptions to stock.

Election for directors.

Quorum of directors.

Their powers.

SECTION 6. When so organized, the board of directors, five of whom shall make a quorum, shall have power to adopt and make all by-laws and regulations necessary to transact business, not inconsistent with the constitution and laws of this state or the United States, for filling vacancies by death, resignation or otherwise, for regulating the meetings of the board, provided safe and salutary rules on the subject of the sale and transfer of securities or other personal or real estate of the company, for making investments, fixing the rate of interest, the nature and amount of security to be required from officers and agents, and generally in regard to every other matter or thing lawful and necessary to carry out and effectuate the intention of this act; the said board of directors shall hold their term of office until the first Tuesday in January, Anno Domini one thousand eight hundred and seventy-two, or until successors be elected; the annual election for directors shall be held on the first Tuesday in January in each and every year, at the place appointed in the by-laws, and to be conducted in the manner prescribed therein.

Annual election for directors.

Dividends.

SECTION 7. Dividends of the profits of the corporation, after deducting its expenses and reserving a fund for contingencies, shall be declared, if any, on the first Tuesday in June and December, payable after ten days; all deposits by minors and married women may be lawfully repaid them on their own receipts, respectively.

Deposits by minors, &c.

Limitation.

SECTION 8. This charter shall continue for twenty years, subject to the right of the legislature to annul the same when necessary for the public good; no injustice to the corporation, however, to be done thereby: *Provided*, Said corporation

Bonus and taxes

pay to the commonwealth all such bonus and taxes as now are or from time to time hereafter may be required by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 325.

An Act

To incorporate the Central Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Abraham R. Paul, John A. Wallace, Andrew Scheibley, Corporators.
 Conrad Schwartz, Robert M. Hiley, William L. Hahn, Peter
 Sary, William Rhodes, John Leedom and all their associates,
 and all persons who may now or hereafter be holders of the
 stock hereinafter mentioned, shall be and they are hereby de-
 clared to be constituted a body politic or corporate, by the
 style of the Central Market Company, to have perpetual suc- Style.
 cession, to be capable in law of suing and being sued, to have Powers and
 a common seal, and the same to alter and renew at pleasure; privileges.
 and to have, hold, receive and enjoy, and take in fee simple,
 or upon ground rent, such real and also such personal estate
 as may by them be deemed necessary and proper, for the own-
 ership and for the construction and for the proper use and
 management and maintenance of a market house, in the Ninth
 ward, city of Philadelphia, and for the accommodation and
 use of any parties who may be desirous of renting and occu-
 pying the same, with free power to sell, mortgage, create the
 necessary ground rent deed or convey the said real and per-
 sonal estate.

SECTION 2. That the object and purpose of said corporation Object and pur-
pose.
 shall be to erect and maintain a suitable building or buildings
 and stalls, with all things necessary for the use thereof, at any
 place within the limits of the city of Philadelphia, the same
 to be appropriated and used as a public market house, for the
 sale and vending of meats and vegetables and all other kinds
 of victuals and provisions whatever, and such edibles as the
 board of managers may deem proper: *Provided*, That farmers Proviso.
 renting stalls in said market shall not be prohibited from sell-
 ing meat or meats, in such parts or pieces as they may deem
 proper; the said market buildings, the stalls or any one or Renting of
stalls, &c.
 more of the same, to be leased, rented or disposed of in such
 manner and upon such conditions as the managers may deter-
 mine.

SECTION 3. That the capital stock of said corporation shall Capital stock.
 not exceed two hundred and fifty thousand dollars, divided
 into five thousand shares, of fifty dollars each, and shall be in
 such form and be issued and transferred in accordance with
 such by-laws as the said managers may establish; after the
 first election no shares shall be voted upon if the same have
 been transferred within thirty days prior to such election.

SECTION 4. That the government and control of the Central Government
and control
 Market Company and the management of its property shall
 be vested in, and the corporate powers of said company shall
 be exercised by a board of nine managers, who shall be elected,
 by ballot, from among the stockholders; they shall continue
 in office until their successors be elected; they shall elect a
 president and treasurer from among themselves, and they shall
 elect a secretary and superintendent, and shall supply all va-
 cancies in their number however occasioned; and they shall
 have the general and entire control of the affairs and interest
 of the company, and that, until other officers be duly elected,
 the persons named in the first section of this act shall be held
 to be managers of this said corporation, and shall have power
 and authority as such.

Sale of market
house premises.

SECTION 5. No vote for or in regard to any sale of the market house premises shall be had or taken, excepting at a stated meeting or at a special meeting called for that purpose, and upon thirty days' notice of such meeting, by advertisements inserted once a week, for four weeks, in two daily newspapers, and by circulars addressed and mailed to each shareholder; it shall require the approval of a two-thirds stock vote to adopt a resolution to sell the real estate.

Meeting of
stockholders.

SECTION 6. That a general meeting of the stockholders shall be held annually, on the second Monday of January, for the election of nine managers and the transaction of other business; but if such meeting shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given in at least three daily newspapers in the city of Philadelphia, and special meetings of the stockholders shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the stockholders, the stockholders present, either in person or by proxy, shall severally vote one for each share of stock held by them.

Votes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 326.

An Act

To enable the Lehigh Coal and Navigation Company to consolidate their loans, borrow money and secure the same by mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of retiring the present indebtedness of the Lehigh Coal and Navigation Company, whether bonded or otherwise, and raising money, as the same may be required, for the general purposes of the company, it shall be lawful for said company, from time to time, to issue bonds, bearing interest at a rate not exceeding seven (7) per centum per annum,

and to secure the same by one or more mortgages on the property and franchises of the company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 327.

An Act

To provide for the payment of the debts of Pine township, in Lycoming county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty, entitled "An Act in relation to the debts of Cascade township, Lycoming county," be and the same are hereby extended and made applicable to the township of Pine, in said county: *Provided,* That for the purposes of distribution it shall not be necessary that judgments shall have been, or shall hereafter be revived by writs of *scire facias*: *And provided further,* That the taxes hereafter assessed upon the unseated lands of said township, shall not be less than one per centum upon the assessed valuation thereof, until all of such judgments, with costs, shall have been fully paid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 328.

An Act

For the organization of a police force for the borough of Hazleton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Appointment of
policemen, rela-
tive to.

That from and after the passage of this act it shall be the duty of the chief burgess of the borough of Hazleton, county of Luzerne, and state of Pennsylvania, on the approval of the town council, to appoint a suitable number of policemen for the protection of person and property, for the preservation of peace and for the execution of criminal process.

Council may
make rules, re-
move police-
men, &c.

SECTION 2. That the said town council shall have power to make such rules and regulations, respecting said police, as may be required from time to time, and to dismiss or remove, for cause, any such policemen, and appoint others in their stead; also, to appropriate fines recovered in violation of the ordinances of the borough, or make such other provisions for the payment of said police as may be deemed advisable or judicious by said town council.

Powers of po-
licemen.

SECTION 3. That the policemen appointed by virtue of this act shall possess the like powers and authority of constables, for the preservation of the peace and for the arrest of offenders against the laws of the commonwealth, and for the execution of all criminal process directed to them, and to receive like fees for their services, and be subject to the same restrictions and penalties as now by law exist.

Fees.

Evidence of ap-
pointment, &c.,
of police.

SECTION 4. That the certificate of the president of said town council, with the corporate seal of said borough of Hazleton, attested by the chief burgess, shall be considered competent evidence of the appointment and authority of such police in all legal proceedings.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 329.

An Act

Providing for the election of a solicitor of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of Schuylkill county shall, at the general election on the second Tuesday of October next, and every three years thereafter, elect one person learned in the law, who shall have resided in the county of Schuylkill for one year next preceding his election, who shall be called the solicitor of Schuylkill county.

Solicitor to be elected.

Qualifications.

SECTION 2. That the return judges of said county shall, when they meet as now required by law in the case of other county officers, faithfully add up the votes given at said election for solicitor, and he who has the highest number of votes shall be declared duly elected; and they shall make out duplicate certificates, one of which shall be delivered to the person thus declared elected, and the other to the prothonotary of the court of common pleas of said county; and the term of office of such person, thus duly elected, shall begin on the first Monday of January next after said election, and continue for a term of three years.

Duties of return judges.

Term of office.

SECTION 3. That all elections of solicitor of Schuylkill county shall be contested and decided in the same manner as is now provided by law for contesting the election of county officers; and if any vacancy shall occur either by death, resignation, removal from the county or otherwise, such vacancy shall be supplied in the same manner as is now provided by law in the case of district attorney; and any person thereafter elected to fill a vacancy in the office of solicitor of Schuylkill county, shall hold his office for the full term of three years.

How elections contested and decided.

How vacancies supplied.

Terms of persons elected to fill vacancies.

SECTION 4. The officer so elected shall be the legal adviser of the board of commissioners of Schuylkill county, and shall represent the said board in all matters and proceedings in law and in equity, whenever the said county is a party or has any interest.

Duties of solicitor.

SECTION 5. The salary of the officer elected, as hereinbefore provided, shall be five hundred dollars per annum, payable quarterly.

Salary.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 330.

An Act

To vacate Steinhaur street, in the Twenty-fifth ward of the city of Philadelphia.

WHEREAS, By the opening of Clearfield street, between Frankford road and Waterloo or Amber streets, the longer continuance of Steinhaur street, between the same points, is made unnecessary:

And whereas, The jury appointed by the court of quarter sessions to assess the damages caused by the opening of said Clearfield street, took into consideration the advantages resulting to the owners of property from the consequent vacation of Steinhaur street, and assessed the benefits accordingly; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Steinhaur street, from Frankford road and Waterloo or Amber streets, in said city of Philadelphia, be and the same is hereby vacated, and the titles to the ground within its limits as aforesaid, be and the same is hereby vested in the owner of the lots of ground bounding said Steinhaur street.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 331.

An Act

To authorize the burgess and council of Tioga borough to establish fire limits.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and council of the borough of Tioga be and they are hereby authorized to establish fire limits within

said borough, by ordinance, which shall be in force from and after the date of its adoption; and they may prohibit the erection of any wooden or other inflammable buildings within such limits, without a license or permit first had from said burgess and council.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 332.

A Supplement

To an act to incorporate the Stony Creek Railroad Company, approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall have power to locate and construct one or more branches, with all the necessary bridges and appurtenances, and to use and equip the same, subject to all the privileges and restrictions contained in the act to which this is a supplement, to any point or points in the county of Chester.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 333.

An Act

To confirm plans number two hundred fifty-one, as prepared by direction of councils and approved by the board of surveyors of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That plans number two hundred and fifty-one, prepared by direction of the select and common councils of the city of Philadelphia, as per resolution approved November twenty-second, one thousand eight hundred and seventy, and approved by the board of surveyors December nineteenth, one thousand eight hundred and seventy, now on file in the department of surveys of said city, be and the same are hereby confirmed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 334.

An Act

To place Stiles street, from Broad street to Ontario street, in the city of Philadelphia, on the public plans, and to open, grade, curb and pave the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of the city of Philadelphia are hereby authorized and directed to place Stiles street, between Broad street and Ontario street, in the city of Philadelphia, on the public plans of the said city, and to have the said street, between the points named, opened, graded, curbed and paved; the opening of the said street and the curbing, grading and paving of the same shall be completed on or before January

first, Anno Domini eighteen hundred and seventy-two, all acts to the contrary notwithstanding.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 335.

An Act

To repeal an act, entitled "An Act in relation to the plans of surveys of certain streets in the Twenty-fourth ward of the city of Philadelphia," approved July eighteenth, one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act in relation to the plans of surveys of certain streets in the Twenty-fourth ward of the city of Philadelphia," approved the eighteenth day of July, Anno Domini one thousand eight hundred and sixty-three, which suspends the plan of surveys within the limits of a certain tract of land; then in the Twenty-fourth ward of the city of Philadelphia, known as the Maryland dam property, and forbids the opening of streets through the same, be and the same is hereby repealed; and that so much of the established plan of survey of the city of Philadelphia, as is embraced within the limits of the property dedicated under the provisions of the act hereby repealed, may be revised by the board of survey of said city, both as to streets and grades; and any alterations of the same shall be filed, returned to court, and confirmed in the manner now prescribed by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 336.

An Act

To vacate a portion of Little lane, (said lane being situate between Marriott street and Carpenter street,) in the Second ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that portion of Little lane, situate at the distance of one hundred and twelve (112) feet east of Eighth street, in the Second ward, in the city of Philadelphia, be and the same is hereby vacated; and the title to the soil over which the same is laid is hereby vested in the owners of the property adjoining the portions vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 337.

An Act

Supplementary to an act, entitled "A supplement to an act approved April thirteenth, Anno Domini one thousand eight hundred and sixty-nine, entitled 'An Act to authorize the burgess and council of the borough of Warren to convey certain real estate,' approved April fourteenth, one thousand eight hundred and seventy."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the word sixty-nine, where it occurs in the title and preamble of the act to which this is a supplement, shall be taken and considered to be sixty-eight; and no acts heretofore done under the provisions of the act to which this is a supplement

shall be in any way vitiated or affected by the error in the title or preamble of said act, which is hereby corrected.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 338.

A Further Supplement

To an act appropriating ground for public purposes in the city of Philadelphia, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said park commissioners shall have power to exclude from the park manufactories therein, so as to leave the ownership in the owners thereof, with defined boundaries under agreements to be made between the said owner and the city of Philadelphia, to run with the title, in manner to protect the purity of the waters of the Schuylkill and the Wissahickon, and to preserve good order in the park, and to prevent the sale of intoxicating liquors upon any part of the premises, to be so left in private ownership; and such exemption from being taken for public use, may be for a term of years or in fee.

Exclusion of manufactories from park, relative to.

SECTION 2. That it shall be lawful for the Fairmount park commissioners to agree with the Ridge Avenue Turnpike Company, for the taking of said Ridge avenue from Dauphin street, north-westward to the Wissahickon, and if they cannot agree, to petition for a jury in manner authorized by the acts relating to said park; and such jury shall proceed, and the court have all the power in said acts contained, for the ascertainment and payment of the damages for freeing said avenue from tolls.

Taking of portion of Ridge avenue, relative to.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 339.

An Act

To incorporate the Bank of Brandywine.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Pomeroy, Charles E. Pennoch, Benjamin R. Hatfield, Rees Davis, Joseph H. Baily, John Todd, Abel Darlington, Isaac Hayes and Lewis Bernard, together with such other persons as shall become stockholders in the said bank or company, shall be and are hereby created a corporation and body politic, by the name and style of the Bank of Brandywine, and shall so continue until the first day of May, Anno Domini one thousand eight hundred and ninety-one; and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain, to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said company as security for debts or in satisfaction thereof, and the same to grant, mortgage or demise; also to make, have and use a common seal, and the same to alter and renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said company, not inconsistent with the constitution and laws of the state or of the United States.
- SECTION 2.** That it shall be lawful for the said company to receive deposits of money from individuals and corporations, and to allow such interest for money so received as may be agreed upon between said company and said depositors, to loan out the same, together with any other money they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange, and to issue certificates for said deposits.
- SECTION 3.** That it shall be lawful for said company to transact financial business as a natural person, and as such to become and act as treasurer and financial agents of charitable and religious institutions and corporations, and as financial agent of state and town governments, and of counties, in the management of their business at the financial centre of the country, and shall give security to such institutions and governments for the faithful performance of the duties required.
- SECTION 4.** It shall be lawful for said company to borrow money, but not in excess of its capital stock subscribed, and to secure the same by mortgage on its real and personal property, or pledge of stocks or bonds or otherwise, and on such time as a majority of the directors may deem expedient.
- SECTION 5.** That the capital stock of said bank shall be one hundred thousand dollars, to be divided into two thousand
- Corporators.
- Name.
- Limitation.
- Powers and privileges.
- Banking privilege.
- May act as treasurer of charitable institutions, &c.
- May borrow money.
- Capital stock.

shares, of fifty dollars each, which shall be paid in such instalments as the said company shall by their by-laws direct, with the privileges of increasing the capital stock, by a vote of the directors, to the amount not exceeding three hundred thousand dollars: *Provided*, That the said bank may commence operations as soon as fifty thousand dollars of the capital stock shall have been paid in.

Commencement of operations.

SECTION 6. That the affairs of said company shall be conducted by a president and six directors, to be chosen as hereinafter directed and provided for; that the said president and directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensation of the same; and all officers shall give bonds, with good sureties, in such sums as may be required by said board, for the faithful performance of their several duties.

Affairs, how to be conducted.

Cashier and other officers.

SECTION 7. That the said company shall keep their office in the borough of West Chester, county of Chester; and on the first day of May, after the acceptance of this charter, and on the first Monday of May annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the company, and, by ballot, elect one person for president and six persons as directors, who shall continue in office one year; that in the election for officers the said stockholders shall be governed by the general laws of the commonwealth regulating the manner of conducting elections in banks and savings institutions, and the number of votes to which the several stockholders shall be entitled, so far as the same may be applicable: *Provided however*, That no person shall be elected to any office in said company who is not a stockholder therein; and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as said company may by by-laws direct.

Office.

Election of president and directors.

Vacancies.

SECTION 8. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes.

SECTION 9. That the legislature hereby reserves the power to alter, revoke or annul the said corporation, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

Reservation.

SECTION 10. That the stockholders shall be individually liable in double the amount of stock held by them.

Individual liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 340.

An Act

To incorporate the Farmers' Bank of Carlisle.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert Givin, John W. Craighead, Thomas Paxton, W. H. Miller, A. J. Herman, Abraham Witmer, John C. Heikes and J. C. Hoffer, together with such other persons as shall become stockholders in said bank, shall be and are hereby created a corporation and body politic, by the name and style of the Farmers' Bank of Carlisle, and shall so continue until the first day of January, Anno Domini one thousand eight hundred and ninety-one; and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain, to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said bank as security for debts, or in satisfaction thereof, and the same to grant, mortgage or devise; also to make and have a common seal, and the same to alter and renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of this state or of the United States.

SECTION 2. That it shall be lawful for the said bank to receive deposits of money from individuals and corporations, and to allow such interest for money received as may be agreed upon between such bank and said depositors, to loan out the same, together with any other moneys they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange and other written evidences of debt, buy and sell gold and silver coin and bullion, and transact every other such business as shall appertain to the business of banking.

SECTION 3. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of state and city governments, and of counties, in the management of their business, and shall give security to such institutions and governments for the faithful performance of the duties required.

SECTION 4. It shall be lawful for said bank to borrow money, but not in excess of its capital stock subscribed, and to secure the same by mortgage on its real and personal property, or pledge of stocks or bonds, or otherwise, and on such time as a majority of the directors may deem expedient.

Corporators.

Name.

Limitation.

Powers and privileges.

Banking privileges.

May act as treasurer of charitable institutions, &c.

May borrow money.

SECTION 5. The capital stock of said bank shall be one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, which shall be paid in such instalments as the said bank shall by its by-laws direct; *Provided*, That the said bank may commence operations as soon as fifty thousand of the capital stock shall have been paid in.

Capital stock.

Commencement of operations.

SECTION 6. The affairs of said bank shall be conducted by a president and not more than seven directors, to be chosen as hereinafter directed: *And provided*, That the said directors, or a majority of them, shall choose one of their number as president, shall elect a cashier and such other officers as they may deem necessary and fix the compensation of the same; and all officers shall give bonds, with good sureties, in such sums as may be required by said board, for the performance of their several duties.

Affairs, how to be conducted.

Cashier and other officers.

SECTION 7. That the said bank shall keep its office in some suitable place in the borough of Carlisle, and the directors first elected, after the acceptance of this charter, shall hold their places until the second Monday in November next thereafter, and until their successors are elected and qualified; all subsequent elections shall be held annually upon the second Monday of November, after two weeks' previous notice, and the directors so elected shall continue in office one year and until their successors are elected and qualified; that in all elections for directors, and in deciding all questions at meetings of the stockholders, each share shall entitle the holder thereof to one vote; stockholders may vote by proxy, duly authorized in writing, if dated within thirty days: *Provided however*, That no person may be elected director in said bank who is not a stockholder therein; and that all vacancies occasioned by death, resignation, refusal to serve or transfer of stock, shall be supplied in such manner as the said bank may by by-laws direct.

Office.

Election of directors.

Vacancies.

SECTION 8. That the said bank shall pay into the treasury of the commonwealth, in four equal annual instalments, a bonus of one-half of one per centum upon the capital stock paid in, the first payment to be made in one year from the date of the organization of the bank, and a like bonus upon any increase of capital that may be authorized by the directors, and paid in at any time thereafter, and such other taxes as are now or may hereafter be required by law.

Bonus and taxes.

SECTION 9. That said bank, not being a bank of issue, shall not be subject to the restrictions provided in section seventeenth of an act, entitled "An Act regulating banks," approved the the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an entitled "A further supplement to an act regulating banks," approved April twenty-second, Anno Domini one thousand eight hundred and fifty-four.

Not subject to certain restrictions.

SECTION 10. That the legislature hereby reserves the power to alter, revoke or annul the bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

Reservation.

Individual liability.

SECTION 11. That the stockholders shall be individually liable to double the amount of the capital stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 341.

An Act

To provide for the extension of the water works of the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Pittsburg shall be and hereby is authorized to purchase or otherwise procure any and all lands situate in the county of Allegheny, which may be necessary for the construction of basins, buildings, machinery, and for laying water pipes, for the purpose of procuring a full and ample supply of water to accommodate the present and anticipated growth and extension of said city and neighborhood.

City may procure lands for construction of basins, &c.

Court may in certain cases, appoint viewers to estimate value of lands.

SECTION 2. Whenever the councils of said city shall desire to obtain any real estate, for the purpose of erecting thereon basins, reservoirs, engine houses, work shops or any other buildings necessary for the proper or convenient use of the water works, or shall desire to lay pipes in, through or over any lands, and are unable to agree with the owner or owners thereof, as to the compensation to be paid therefor, or by reason of the absence or legal incapacity of such owner or owners, no such agreement can be made, it shall and may be lawful for the court of quarter sessions of Allegheny county, upon application, on behalf of said city, to appoint three disinterested freeholders of said county, none of whom shall be a resident or an owner of property in said city, unless the parties interested shall assent to such appointment, and appoint a time, not less than ten nor more than twenty days thereafter, when they shall meet upon the premises, and having been first duly sworn or affirmed, to faithfully discharge their duties, appraise and value the grounds proposed to be taken; of which meeting notice shall be given at least ten days before the time appointed, to the owner or owners of the property

To appoint time for meeting of viewers.

Notice of meeting

to be taken, or in case of his or their absence, or legal incapacity, to the agent, guardian or other representative of such owner or owners, to be served personally on such owner, agent, guardian or other representative, if in the county of Allegheny, and if not, by publication in at least two daily newspapers published in the city of Pittsburg, and in such other papers as said court may direct.

SECTION 3. The application for the appointment of viewers shall describe the property to be taken, and whether the same is to be used for buildings, basins or laying of pipes, and if for laying pipes, how the same are to be laid.

Applications for appointment of viewers, relative to.

SECTION 4. Said viewers having viewed the premises shall estimate and appraise the value of the property to be taken, or the compensation for the laying of pipes, as the case may be, and within ten days after said meeting report the same to said court; which report shall be filed, and if no exceptions be filed within ten days thereafter, the same shall become absolute and binding on all parties; but if exceptions shall be filed by any party interested, within the time aforesaid, the said court may make such order for disposing of the same as may seem proper, and if deemed necessary may order an issue, in such form as may be directed by said court, and try the same before said court and a jury, and after final judgment either party may have a writ of error from the supreme court, as in other like cases.

Duty of viewers.

Report.

Proceedings on exceptions filed.

SECTION 5. When the report of viewers shall have been made and returned to court, as aforesaid, said city may tender the amount of the appraised value of said lands, or the compensation, as determined by said report, to the owner or owners, his, her or their agent or representative, or may pay the same into court or deposit the same in any bank, under order of said court, and may thereupon take possession of and use and occupy the grounds as indicated and described in the application.

Upon report made, city may tender amount of appraised value of lands, &c.

May then take possession of same.

SECTION 6. When final judgment shall have been given in any case, and the appraised value of said grounds or compensation thereby determined, shall have been paid or tendered to the owner or owners, his, her or their agent or representative, or paid into court, the grounds appraised shall become vested in the city of Pittsburg in fee simple, free from encumbrances, except such as may be taken for the purpose of laying pipes, which shall be subject to the right and power of the city to lay pipes, and to maintain and keep the same in good repair, and to renew the same when necessary, and to enter in and upon the premises at all times for such purposes.

Upon final judgment given, &c., lands to become vested in city, in fee simple.

Exceptions.

SECTION 7. When any property shall be acquired by said city in fee simple, under the proceedings herein provided, the appraised value thereof, or so much as may be necessary for the purpose, shall be paid into court; and said court shall make such order for the payment of the same as shall secure the liens of the encumbrances upon the fund, according to the priority of the same.

Appraised value of property acquired in fee simple, to be paid into court. &c.

SECTION 8. Said city of Pittsburg shall have authority to make and enter into a contract or contracts with any city or

City may contract for supplying other cities and boroughs with water.

borough in the neighborhood thereof, for supplying water to the inhabitants of said city or borough, upon such terms as may be mutually agreed upon; and in case any contract shall be made in pursuance of this section, all the laws and ordinances of said city, for the levying and collection of water rents, and preservation of the water works, shall, as far as applicable, extend to and be enforced in said city or borough, unless by the term of said contract, the collection of rents and preservation of said works is committed to the city or borough so supplied with water.

Authorized to borrow money and issue bonds.

SECTION 9. Said city of Pittsburg shall be and is hereby authorized to borrow money and issue bonds, as provided by an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act to authorize the city of Pittsburg to borrow money," approved the twenty-eighth day of February, Anno Domini one thousand eight hundred and sixty-eight, in addition to the amount therein authorized, not exceeding one million of dollars: *Provided*, That no bonds shall be issued under the provisions of this act until said city shall have provided for the erection of new water works.

Proviso.

May sell lands, &c., now owned by city.

SECTION 10. Said city shall be authorized to sell any of the lands, buildings or machinery now owned by said city, which may be rendered useless by the erection of new works.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 342.

A Supplement

To an act, entitled "An Act to incorporate the Germantown Cottage Company," approved the first day of May, Anno Domini one thousand eight hundred and sixty-six, giving authority to aid contractors and others, to construct public and private improvements, to hold property by purchase or otherwise, and to dispose of the same, and to increase their capital stock.

WHEREAS, The name, style and title of the Germantown Cottage Company, approved May one, one thousand eight hundred and sixty-six, was changed to that of the Commonwealth Improvement Company, under and by virtue of the authority of a supplement, approved the sixth day of April,

one thousand eight hundred and seventy, to the said the Germantown Cottage Company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Commonwealth Improvement Company is hereby authorized to aid contractors, companies, corporations and others, by making advances of money and of credit, and by guaranteeing the payment of bonds and of obligations, and the performance of contracts at such prices and on such terms as may be agreed upon between them and the parties contracting with them; may build, construct and equip public or private works and improvements, by contract or otherwise, and may hold, use, let, lease, mortgage and dispose of the same as may seem best, and may hold in trust or otherwise, real, personal and mixed property, and dispose of the same according to the agreement between them and the parties contracting with them: *Provided,* That nothing herein contained shall be construed as giving or granting banking privileges, or the privilege of issuing their obligations as money; and in furtherance of these designs, the said company may increase their resources from time to time, in real, personal and mixed property, by purchase or otherwise, as their business may require, and may sell, lease, let, transfer, convey and mortgage the same, upon such terms and conditions as may be determined upon, and may increase their capital stock from time to time, as the business of the company may require.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 343.

A Supplement

To an act, entitled "An Act to incorporate the Penllyn and Blue Bell Turnpike Road Company," approved the sixth day of March, Anno Domini one thousand eight hundred and sixty-eight, to authorize said company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That for the purpose of paying the existing debt of the said the Penllyn and Blue Bell Turnpike Road Company, and of repairing and re-fitting their road, the said company shall have power to borrow any sum of money, not exceeding five thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to issue bonds therefor, in sums not less than one hundred dollars, and to secure the same by mortgage of their road, franchises and corporate privileges.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 344.

An Act

To incorporate the Revolving Mould Board Plow Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Sears M. Loveridge, William Reed, William Johnston, R. C. Loomis and Norris M'Coombs, and such other persons as they shall associate with them, and their successors and assigns, be and they are hereby created a body politic and corporate, from the passage of this act, under the name and style of the Revolving Mould Board Plow Company.

Corporators.

Name.

Powers and privileges.

SECTION 2. The said corporation shall have power to carry on the business of manufacturing and selling revolving mould board plows and other agricultural implements, and for this purpose to purchase and hold the patents of Joseph S. Godfrey, and any other patents it may acquire pursuant to the prosecution of the said business, and to grant licenses or rights to others to manufacture or sell under such patents, to purchase, acquire, hold, grant and sell property, real, personal or mixed, execute mortgages and erect buildings, so far as the same may be necessary to carry out the objects of this act and facilitate the pursuit of the said business; to hold and use a common seal, and the same to alter or change at pleasure; to sue and be sued, plead and be impleaded, in any court of this commonwealth or elsewhere, and to make all needful rules and regulations and by-laws necessary for the good government and management of the said corporation,

not repugnant to the constitution and laws of this commonwealth or of the United States.

SECTION 3. The capital stock of said corporation shall consist of forty thousand six hundred dollars, with the right to increase the same to three hundred thousand dollars, in shares of fifty dollars each, to be called in from time to time as the same may be needed; and the said corporation shall have the right to receive lands, tenements, buildings, machinery, materials and other effects, for the purposes of the said corporation, in payment of the said stock, at a valuation to be fixed by the directors of the said corporation; and the said shares shall be transferable on the books of the said corporation.

Capital stock.

SECTION 4. The number, titles and functions of the officers of the said corporation, their terms of office, the period of election, the qualification of electors, the manner and ratio of voting, and the meetings of the said corporation, may be determined by its by-laws.

Officers, &c.

SECTION 5. The directors of the said corporation shall have power to sell and convey any property held by said corporation: *Provided*, The stockholders owning a majority of the stock give their assent thereto in writing.

Directors may sell property.

SECTION 6. The said corporation shall have the right and power to borrow money, at a rate of interest not exceeding eight per centum per annum, to promote and carry out the objects of this corporation and for the prosecution of its business, and to issue the securities of said company for the same, in such manner and in such places as they may deem proper, and dispose of such securities in such manner and in such places as they may deem proper, and dispose of such securities in such manner and in such places as the board of directors may order.

May borrow money, and issue and sell securities.

SECTION 7. The stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be individually liable for any such debts unless the same shall be sued for within six months after they shall have become due.

Individual liability.

SECTION 8. The said corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per cent. on the capital stock hereby authorized as paid in, and on any increase thereof, in four equal annual instalments, and such taxes on dividends as is or may be provided by law.

Bonus and taxes on dividends.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 345.

An Act

To incorporate the Lebanon Dime Savings Bank.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That John W. Killinger, Artemus Wilhelm, T. T. Worth, John W. Mish and A. R. Boughter, and all persons who shall hereafter become stockholders in the company incorporated,
Name.	shall be and are hereby created a body corporate, by the name of the Lebanon Dime Savings Bank, and by that name shall be capable by law to hold and dispose of property, to
Privileges.	sue and be sued in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do everything necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be
Location.	located in the borough of Lebanon: <i>Provided,</i> That a misnomer of said incorporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained.
Misnomer.	
Purpose.	SECTION 2. That the purpose of this act is to organize and incorporate a bank and savings loan company and a safe deposit company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money, and to transact any other business transacted by banks in this commonwealth; that such deposits shall be paid to such depositors, with interest, at such rates as shall be paid annually by the directors, in lawful money, national bank notes or notes of banks incorporated in the state, at par, when required, during business hours; and such company shall be authorized as such to receive and hold, on deposit and in trust, estates, real and personal, including the notes, bonds, obligations and accounts of estates and individuals, and of companies and of corporations, and the same to purchase, collect and adjust and settle, and also to sell and dispose thereof, in any market in the United States or elsewhere, without proceeding in law or equity, and for such price, and at such times, as may be agreed on between them and parties contracting with them; that the corporation hereby created shall also possess and have power to receive, upon deposit, for safe keeping, jewelry, plate, stock, bonds and valuable property of every kind, upon terms to be prescribed by the by-laws of the said company.
Business.	
Payment of deposits.	
May hold property in trust, &c.	
May receive property for safe-keeping.	
Capital to be raised for security of depositors.	SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may be associated with

them as stockholders in the company incorporated, to raise and form a capital of twenty-five thousand dollars, to be divided into shares of fifty dollars each, and paid in as shall be required by the board of directors; but one-half thereof shall be fully paid in before the said company shall commence business; the directors of the said corporation may increase the capital stock thereof, as they from time to time shall elect, to any amount not exceeding one hundred thousand dollars: *Provided*, That the stockholders, at the time of such increase, shall each be entitled to a *pro rata* share of such increase, upon the payment of the par value thereof; such right to be forfeited, however, if not availed of within ten days of the time fixed for subscription therefor by public notice.

Increase of capital.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth or of the United States, or other stocks or bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

Investment of funds.

SECTION 5. That the directors shall prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed nine.

Directors to prescribe form of certificate to depositors, &c.

Number of directors limited.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day, within twelve months from the passage of this act, as the majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers five directors, to manage the affairs of the said corporation; said directors shall choose from their number a president, and may appoint and remove, at will, such other officers as they shall deem necessary; said directors and president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all the rights, powers and privileges which are intended to be hereby given.

Meeting of corporators.

Purpose of meeting.

Officers.

SECTION 7. That the real estate which it shall be lawful for the said corporation to hold shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise to secure debts due it; that in all cases of loans upon real estate the expenses of researches, examination of certificates and recording papers shall be paid by the borrower.

Real estate.

Expenses of searches, &c.

SECTION 8. That the directors, at their first meeting of January in each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposits shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest be allowed for fractions of months.

Interests on deposits, relative to.

SECTION 9. On the first Tuesday in January and July in each year the directors shall make and declare, out of the net

Dividend, relative to.

proceeds and profits of the business of said corporation, a dividend of so much thereof as they deem best, and pay the same over to the stockholders or their legal representatives, within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposit, after the assets of said corporation shall become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and fifty per centum of the capital stock paid in, they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

Shares transferable.

SECTION 10. The shares of said corporation shall be transferable on its books, in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by each stockholder then owned; if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any installment of the same, for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of said corporation may sell or dispose of the said stock, as they may deem most advantageous to said corporation; the books of said corporation shall at all times, during business hours, be open for the inspection of such as the legislature shall appoint for that purpose.

Votes.

Failure to pay subscriptions.

Books to be open for inspection.

Officers and agents to give bonds.

SECTION 11. The officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give bonds in such an amount as the directors shall fix, for their fidelity and good conduct, and for the safe keeping and appropriation of all such sums of money as shall be placed in their charge by the depositors and others; and the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of said corporation, as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Increase of bonds.

Portions of by-laws and regulations to be put up in office.

May be appointed trustee, &c.

SECTION 12. It shall and may be lawful for any court of the commonwealth of Pennsylvania, and for any person or persons or bodies politic or corporate, by deed, will or otherwise, to make, constitute and appoint said corporation, with the consent of the same, a trustee, assignee, guardian of the estate of minor children, committee of lunatic, or receiver, and to allow it like compensation for the execution of such trusts as would by law be allowed to individuals, and such as may be agreed upon before accepting any such trust, from or on behalf of any such person or persons and bodies politic

or corporate; and the said corporation is further empowered to accept such appointment, and act as executor or administrator of any deceased testator or intestate; the letters testamentary and of administration may be issued by the register of wills of the proper counties to it, for such appointment of executor or administrator as the said corporation may accept, without such bond or surety.

May act as executor or administrator.

SECTION 13. The capital stock of said corporation shall be taken and considered as the security required by law, for the faithful performance of its duties as such executor, administrator, trustee or receiver, and shall be liable in case of default.

Capital stock security for performance of duties.

SECTION 14. That deposits by married women and minors may be re-paid to them, and such re-payment made upon their order, checks or receipts shall discharge the said corporation from any further claims of the same; the deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to the husband of said married woman, or to the parent or guardian of such minors.

Deposits by married women and minors.

SECTION 15. That said bank, not being a bank of issue, shall not be subject to the restrictions provided in section seventeen of an act, entitled "An Act regulating banks," approved April sixteenth, one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks," approved April twenty-second, one thousand eight hundred and fifty-four.

Not subject to certain restrictions.

SECTION 16. That this charter shall continue in force for a period of twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice be done to the incorporators: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth, in four equal annual instalments, a bonus of one-fourth of one per centum upon capital stock paid in, the first payment to be made in one year from the date of the organization of said corporation, and a like bonus upon any increase of capital that may be authorized by the directors, and paid in at any time thereafter.

Limitation. Reservation.

Bonus.

SECTION 17. The stockholders shall be individually liable in double the amount of capital stock held by them.

Individual liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 346.

An Act

For the relief of Thomas M'Creery, of Beaver county.

WHEREAS, Thomas M'Creery, of Beaver, Beaver county, Pennsylvania, was assessed by the mercantile appraisers of said county as an exchange broker and bill broker, and paid, under protest, the license thereon, to wit: thirty-one dollars and fifty cents, as an exchange broker and the same as a bill broker:

And whereas, Under the laws of this commonwealth he should have paid license as an exchange broker only; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is authorized and required to pay said Thomas M'Creery thirty-one dollars and fifty cents out of any money in the treasury not otherwise appropriated, being the amount of license wrongfully paid by said Thomas M'Creery for carrying on the business of bill broker in Beaver, Beaver county, aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 347.

An Act

To incorporate the Lee Park Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Jasper B. Stark, Benjamin F. Pfouts, Peter Purcel, John H. Swoyer, Jos. W. Rhodes, Jonathan Laycock, E. W. Sturdevant, Andrew Lee, J. M. Coolbaugh, A. S. Orr, Frank Page, John Mitchell, Gilbert Reily, S. H. Shimer, John C. Phelps,

Corporators.

William J. Harvey, Harrison Harvey, Anrold Bertles, Jerome J. Miller, Joseph H. Stickney, William N. Conyngham, Charles Parrish, E. P. Darling, M. J. Philbin and Stanley Woodward, William Hillard, Sam'l G. Turner, L. Thurlow, John Wells Holenbach, Washington Lee, Jr., of the borough of Wilkesbarre, Luzerne county, and state of Pennsylvania, and such other persons as are or may become associated with them as stockholders, be and they are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of the Lee Park Association, to be located near the said borough of Wilkesbarre, and having for its object the permanent establishment of a convenient enclosure, park and grounds for purposes of agricultural fairs, public meetings, riding, driving and the innocent amusement and recreation of the citizens of said borough and county.

Title.
Object.

SECTION 2. That said corporation shall have authority to have and use a common seal, and by its corporate name to sue and be sued, to plead and be impleaded in any court of this commonwealth or elsewhere, and have perpetual succession; also to hold, by purchase, lease, donation, bequest or otherwise, any lands, tenements, goods or chattels which may be legally conveyed, granted, donated, devised or sold to said corporation for its use and enjoyment, and for the purposes above set forth, and the same at pleasure to grant, bargain, sell and convey or lease for the benefit of said corporation.

Powers and
privileges.

SECTION 3. That the capital stock of said corporation shall consist of sixty shares, of five hundred dollars each, the same to be increased from time to time as the directors of said corporation may deem advisable; and the affairs of said corporation shall be managed by a board of seven directors, one of whom shall be president; the manner and time of the election of said board to be fully set forth in the by-laws of said association.

Capital stock.

Management.

SECTION 4. That said association, at the time of its organization, under this act, shall adopt, ordain and establish such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the association, and not being contrary to the laws of this commonwealth.

By-laws, &c.

SECTION 5. That the directors of said corporation shall have authority to appoint and employ, upon such terms as may be agreed upon, two or more persons to act as special policemen for the maintainance of good order in and about the grounds and premises of said association; and that said policemen so appointed, and wearing some distinctive badge of authority, shall have all the power possessed by the policemen of the borough of Wilkesbarre, and be subject to the same restrictions, rules and regulations as said policemen of said borough; and in case of arrest or complaint made by said policemen so appointed by said association, while in the legitimate discharge of their duty, on and about the grounds of said association, the burgess of the borough of Wilkesbarre shall take cognizance of the matter, and act in all respects as though the complaint and arrest had been made within the limits and by the policemen of said borough.

Directors may
appoint policemen.

Powers of
policemen, &c.

SECTION 6. That the directors of said association shall have

Directors may borrow money.

authority to borrow any sum or sums of money for the objects set forth in this act, and to secure the payment of the same by bond and mortgage, or to issue bonds therefor, with or without coupons, and secure the same by mortgage; *Provided*, The amount borrowed shall not exceed the amount of the capital paid in, and that the rate of interest shall not exceed eight per centum per annum.

Proviso.

County commissioners may make appropriations in aid of fairs.

SECTION 7. That it shall be lawful for the commissioners of the county of Luzerne, by and with the concurrence of the president and associate judges of the courts of said county, to make appropriations out of the moneys in the treasury of said county in aid of agricultural fairs to be held on the grounds of said association: *Provided*, Such appropriation shall not exceed two hundred dollars in any one year; and in case of such appropriation the receipt of the treasurer and president of said association shall be the proper voucher for said commissioners.

Proviso.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 348.

An Act

Relative to livery stable keepers and others in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever hereafter any bailee or bailees for hire or loan of any property of any livery stable keeper, or any other owner of property, in the counties of Greene, Perry, Luzerne, Bradford, Cumberland, Mercer, Washington, Philadelphia, Huntingdon, Juniata, Blair, Delaware, Snyder, Montgomery, Somerset, Lawrence, Bedford, Lycoming, Susquehanna, Clinton, Warren and Dauphin, shall willfully or with gross negligence damage or destroy the property of any one as aforesaid, while the same is in the custody or possession of said bailee or bailees, the person or persons so offending shall be taken and deemed guilty of a misdemeanor, and upon conviction in the court of quarter sessions shall be punished by fine or imprisonment, not exceeding twenty days, in the county jail, or both, at the discretion of the court, and shall be liable

to said owner or owners of said property for the value thereof, or the injury done to the same, in an action of debt, either in the court of common pleas or before a justice of the peace, as like amounts are now by law recoverable.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 349.

An Act

Relative to the relief of Jacob Ziegler.

WHEREAS, Jacob Ziegler did recruit, under the authority of the secretary of war, men for a regiment of infantry of Pennsylvania volunteers, who were consolidated with another regiment and duly mustered into the service of the United States, and for which recruiting he has never received any pay or allowance; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and is hereby authorized to examine the claim of Jacob Ziegler, of Butler county, Pennsylvania, for recruiting, as colonel, a regiment of Pennsylvania volunteer infantry, from the twenty-third day of July, Anno Domini one thousand eight hundred and sixty-one, until the twenty-second day of December of the same year, and if he shall find such services were rendered on proper authority from the war department, United States government or from the governor of the commonwealth, rendered by the said Jacob Ziegler, as colonel, or by the payment of money for recruiting men who actually went into the United States service, he shall allow what shall equitably or justly compensate the said Ziegler for such service, and draw his warrant on the state treasurer for the amount so allowed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 350.

An Act

To change the name of Thomas Atherton Henry to that of Thomas Henry Atherton, and to make the said Thomas the heir-at-law of Lydia Atherton.

WHEREAS, Miss Lydia Atherton, of Kingston, Luzerne county, Pennsylvania, has petitioned the general assembly of this commonwealth to change the name of her nephew, Thomas Atherton Henry to Thomas Henry Atherton, and to have him made her heir; and William Henry and Sarah Henry, the parents of the said Thomas Atherton Henry, have also petitioned the general assembly to the same effect; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Thomas Atherton Henry, of Kingston township, Luzerne county, a son of William Henry and Sarah Henry of the same place, be and is hereby changed to that of Thomas Henry Atherton, and he is made and hereby declared to be the heir-at-law of Lydia Atherton, of Kingston township, Luzerne county, aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 351.

A Further Supplement

To an act to incorporate the Shultzville, Mill City and Tunkhannock Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company may have power to build a branch of their road from Shultzville to any point at or near Clark's

Summit station; and that the time for the completing said road or roads be extended to the first day of January, one thousand eight hundred and seventy-five; and that the said company have the right, under their present charter, to erect gates and collect tolls whenever said branch road is completed and is accepted by the president and managers of the said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 352.

An Act

To incorporate the People's Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John N. Conyngham, L. D. Shoemaker, Hendrick B. Wright, Edwin S. Osborne, Garick M. Miller, Peter Pursel, Arnold Bertels, John C. Phelps, Isaac Livingston, Winthrop W. Ketcham, Edward P. Darling, Henry M. Hoyt, M. J. Philbin, Charles Parish, Jasper B. Stark, J. R. Coolbaugh, O. K. Moore, F. V. Rockafellow and George S. Burnett, or any five of them, and their associates, and all persons who may hereafter be holders of the stock hereinafter mentioned, are hereby created a body corporate, by the name of the People's Market Company, to have perpetual succession, to sue and be sued, to have a common seal, and to have, hold, receive and enjoy and take in fee simple, or upon ground rent, such real estate, and also to have, hold, receive and enjoy such personal estate as may by them be deemed necessary and proper for the ownership, proper use, management and maintenance of a market house in the borough of Wilkesbarre, and for the accommodation and use of any parties who may be desirous of renting and occupying the same.

Corporators.

Name.
Powers and
privileges.

SECTION 2. The object and purpose of said corporation shall be to erect and maintain a suitable building or buildings and stalls, with all other things necessary for the use thereof, the same to be appropriated and used as a public market house, for the sale and vending of meats and vegetables and all other kinds of victuals and provisions whatsoever; the

Object and pur-
pose.

said market building, the stalls, or any one or more or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions as the managers hereinafter named shall determine.

Capital stock.

SECTION 3. That the capital stock of said corporation shall not exceed one hundred thousand dollars, in shares of one hundred dollars each.

May borrow money upon bonds

SECTION 4. That the said corporation is authorized to borrow money to an amount not exceeding one-half of their capital stock, upon bonds to be issued by said corporation, and secured by mortgage on their corporate property, whenever the managers of the same shall deem said bonds and security expedient: *Provided*, The rate of interest shall not exceed eight per cent. per annum: *And provided*, The holders of said bonds may at any time convert the same into the stock of said corporation; and no bond shall be issued for a less sum than one hundred dollars.

Proviso.
Proviso.

Government and control.

SECTION 5. That the government and control of said corporation and its property shall be vested in a board of seven managers, who shall be elected by ballot from among the stockholders; they shall choose one of their number president of the board, and shall also appoint a secretary and treasurer from their number, and other necessary officers; they shall continue in office until their successors are elected, and fill all vacancies occurring in their body; the persons named in the first section of this act, or any five of them, shall call a meeting of the stockholders, at such time and place as they shall designate, giving one week's public notice thereof, in at least one newspaper published in said borough, for the purpose of electing managers to serve until the annual election.

Organization.

Annual meetings of stockholders.

SECTION 6. That annual meetings of the stockholders, for electing managers and transacting other business, shall be held on the second Tuesday of January, public notice thereof being given as provided in section five; but should such election not be held the corporation shall not for that cause be dissolved, but such meeting and election shall take place as soon thereafter as may be, notice thereof being given as aforesaid; special meetings of the corporation shall be held as provided by the by-laws; the managers may, if they see proper, enact by-laws for the government of the corporation and its officers; in the election of managers, and in the decision of all questions in the meetings of stockholders, those present, in person or by proxy, shall be entitled to one vote for each share of stock held by them.

Special meetings.

By-laws.

Votes.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 353.

An Act

To authorize the election of an additional justice of the peace for the borough of Pittston, county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be lawful to elect a justice of the peace for each ward of the borough of Pittston, county of Luzerne; and any justice that may hereafter be elected and commissioned in any ward of said borough, shall be a resident of the ward for which he is elected, and hold his office in the ward for which he shall be elected.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 354.

An Act

Supplementary to an act relating to the jurisdiction and powers of courts, approved the sixteenth day of June, Anno Domini eighteen hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it is hereby declared to have been the true intent and meaning of the several acts and parts of acts of assembly of this commonwealth, conferring jurisdiction upon the different orphans' courts, that the powers and jurisdiction of said courts shall extend to and embrace all cases in which any citizen or citizens of this commonwealth shall demand an account and payment of their claims as creditors, devisees, legatees, or other *cestui que trust* of any executor, administrator or guardian, who may have been or may hereafter be served within this commonwealth, with citation or other pro-

cess, requiring an account, distribution or payment of assets, without regard to the domicil of the decedent, or the place in which said assets have been or may hereafter be received; and the said orphans' courts are hereby empowered and directed to give relief to all citizen claimants against all executors, administrators and guardians, found or to be found within this state, although the fund or assets of said estate may have been, or may be collected or received, or subject to the defendant's control outside of the state.

SECTION 2. That all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 355.

A Supplement

To an act relating to orphans' courts, approved March twenty-ninth, Anno Domini one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the fourteenth section of an act, entitled "An Act relating to orphans' courts," approved March twenty-ninth, Anno Domini one thousand eight hundred and thirty-two, be and they are hereby extended to include the public debt of the city of Williamsport.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 356.

An Act

Providing for the entry of certain proceedings on the judgment indexes of the several courts of this commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That when any proceedings in lunacy, habitual drunkenness, to revive and continue the lien of debts against a decedent's real estate by bill or otherwise, or a petition to declare void any agreement, deed or other paper or proceeding conveying or vesting title to real estate in this commonwealth, or any other proceeding by which purchasers of real estate would be deemed to have had constructive notice, shall have been commenced in any of the courts of this commonwealth, it shall be the duty of the several prothonotaries and clerks to enter the same upon the judgment indexes or dockets of said courts, and to certify the same as liens, in any certificate of liens that they may be required to make by virtue of their office.

Proceedings in lunacy, against decedents' estates, &c., to be entered on judgment index.

SECTION 2. That when a final decree in any of the proceedings aforesaid shall have been made, (except in proceedings to continue the lien of debts against a decedent's estate,) it shall be the duty of the proper officer of the court, the persons interested in the same, within six months after the same shall have been made, to procure a certified copy of said decree, under a full and clear caption of the case, and have the same recorded in the same manner that deeds are now recorded in the recorder's office of the respective county, with like effect; and should any such decree be set aside, amended or superseded, the order of court so amending or superseding, shall be certified and recorded in like manner.

Final decrees to be recorded within six months.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 357.

A Supplement

To an act, entitled "An Act for draining swampy and wet lands," approved April fifth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Court of quarter sessions to make charter.

That the court of quarter sessions before which proceedings shall be had, is hereby authorized and required, when the report of the commissioners is confirmed, to make the necessary charter, giving the owners of swamp lands, which by the aforesaid act are made a body corporate, the necessary powers to carry out the intention of the act to which this is a supplement, and also to give a name to said corporation and fix the time and place for its first meeting.

To name corporation, &c.

Corporation may lay and collect assessments.

SECTION 2. The said corporation, when organized, shall have power to lay and collect assessments; which assessments shall be made in the proportion indicated by the commissioners in their report; and said assessments or tax, until paid, shall be a lien upon or against the real estate and the personal property that may be upon the same, belonging to the real owner of said swamp or part of said swamp lands.

Duties of officers

SECTION 3. When authorized by the corporation, it shall be the duty of the president, assisted by the secretary, to make an assessment, in accordance with the meaning of the act to which this is a supplement; and a duplicate, with his warrant, to the treasurer of said corporation, shall be his authority to collect said assessment as county rates and levies are collected; and said corporation shall not have power to assess or collect for any other purpose than that authorized by this act, and the act to which this is a supplement.

Repeal.

SECTION 4. The eighth section of the act to which this is a supplement is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 358.

An Act

To promote industrial partnerships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That individuals and corporations employing labor may give to employees, in addition to regular wages, or in lieu thereof, a conditional interest in the profits of the business, to be regulated and determined by agreement between the parties; and the employee receiving such conditional share of profits shall not by reason thereof be deemed liable for the debts or losses of the business, or have any voice in the management, except in so far as may be clearly defined in the constitution or agreement under which the association is organized or operations conducted.

Employees may be allowed interest in profits without partnership liability.

SECTION 2. That any manufacturing, mining or improvement company, firm or partnership, now doing business under the laws of this commonwealth, or which may hereafter be chartered, may, without change of name, accept the provisions of this act and organize its business in accordance therewith, first giving notice to the auditor of its intention so to do, and filing with him a statement of the capital to be employed and in what it consists, and a copy of the articles of agreement or constitution and by-laws by which the operations of the company or association is to be governed.

Firms and partnerships may accept provisions of act without change of name.

SECTION 3. That no company shall be entitled to the benefits of this act which shall not, in its agreement or articles of association, filed with the auditor general as aforesaid, provide for the distribution of at least one-half of the net profits of its business to its employees, after paying a dividend of not more than ten per centum per annum upon its stock.

Additional requirements.

SECTION 4. All act and parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 359.

A Supplement

To an act approved April ninth, one thousand eight hundred and sixty-seven, entitled "A further supplement to an act for the regulation and continuance of a system of education by common schools."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act approved April ninth, one thousand eight hundred and sixty-seven, so far as they relate to city or borough superintendents, be and they are hereby extended to cities and boroughs with a population of over seven thousand inhabitants: *Provided,* This act shall not apply to the city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 360.

A Supplement

To the act of March twenty-ninth, one thousand eight hundred and three, entitled "An Act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotage, and for other purposes therein mentioned."

WHEREAS, The interests of commerce in the port of Philadelphia requires that all vessels arriving at said port shall report and register at the office of the wardens:

And whereas, The laws for the enforcement of the ordinances of the board of port wardens are inadequate to accomplish the purposes for which said board was created; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all vessels over seventy-five tons burthen shall, within

twenty-four hours after arrival at the port of Philadelphia, report and register at the office of the board of wardens for said port; and all proceedings for neglect to obey the harbor regulations, as at present existing, shall be held before any justice of the peace or alderman of the city of Philadelphia, and the proceedings for the enforcement of penalties, in all cases, shall be commenced by *capias*; all laws, or parts of laws, inconsistent with these laws, are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 361.

An Act

Relating to the assessment of damage for the appropriation of land for public use.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of the appropriation of land for public use, other than for roads, streets or highways, it shall not be lawful to assess, apportion or charge the whole or any portion of the damage done to or value of the land so appropriated, to, among or against the other property adjoining or in the vicinity of the land so appropriated, nor the owners thereof; and all acts, or parts of acts, inconsistent herewith, are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 362.

An Act

To authorize two supervisors of roads in Conyngham township, Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act there shall be two supervisors of roads in Conyngham township, Columbia county; and that the election of the acting supervisors of said township is hereby made valid.

Two supervisors
authorized.

Election vali-
dated.

Repeal.

SECTION 2. That all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 363.

An Act

To incorporate the Western Pennsylvania Classical and Scientific Institute, at Mount Pleasant, in Westmoreland county.

Preamble.

WHEREAS, The Baptist denomination in Western Pennsylvania, feeling their need of increased educational facilities:

And whereas, The chartering of an institution of learning, to be placed under their patronage, supervision and direction, would be a measure well adapted to call forth, concentrate, increase and render effective, in the cultivation of sound learning, the efforts of said denomination, and thereby promote the general interests of science, literature and good morals; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and hereby is erected and established, at or near the borough of Mount Pleasant, in the county of Westmore-

Institution of
learning estab-
lished.

land, in this commonwealth, an institution of learning, of such character as the patrons and managers of said institution shall find themselves able to maintain, and that the name and constitution of said institution of learning shall be and they are as follows :

ARTICLE FIRST.

SECTION 1. The said institution of learning shall be forever Name. called and known by the name of the Western Pennsylvania Classical and Scientific Institute, at Mount Pleasant.

ARTICLE SECOND.

SECTION 1. The said institution of learning shall be under Management, &c the management, direction, government and supervision of a board of trustees, not exceeding fifteen in number.

SECTION 2. Two-thirds of said trustees shall be members, in Trustees. good standing, of the regular Baptist denomination, five or more of whom shall constitute a quorum.

ARTICLE THIRD.

SECTION 1. The first board of trustees of said institution of First board of trustees. learning shall consist of the following persons, to wit : C. S. Overholt, W. F. Cowden, A. T. Shellenberger, J. H. Clark, A. O. Tinstman, John Collins, James Lynn, W. Williams, A. K. Bell, J. Lloyd Shellenberger, B. F. Woodburn, William M. Young, N. B. Critchfield, A. J. Rowland, W. Shadrach, Z. C. Rush, of Ohio ; which said trustees, and their successors, to be elected as herein subsequently mentioned, shall be forever hereafter and they are hereby created, established and declared to be a Powers and privileges. body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the Western Pennsylvania Classical and Scientific Institute, at Mount Pleasant ; by which name and title said trustees and their successors shall be capable in law and in equity to take to themselves and their successors, for the use of said institution of learning, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons whatsoever, and to hold ten acres of land, together with the improvements thereon, exempt from taxation : *Provided*, That the annual net income accruing from said estate, and subject to a yearly appropriation or disposition of said trustees, shall not exceed the sum of twenty thousand dollars, and the same messuages, lands, tenements, hereditaments and estates, real and personal, to grant, bargain, sell, convey, assure, demise, and to farm, let and place out on interest, or otherwise dispose of or invest for the use of said institution of learning, in such manner as to them or a quorum of them shall seem most beneficial to said institution, and to receive the rents, issues, profits, income and interest of the same, and to apply the same to the proper use of said institution of learning ; and by the same name to sue and be

sued, implead and be impleaded in any court of law or equity, and in all manner of suits and actions whatsoever, and generally by and in the same name to do and transact all the business touching or concerning the premises, or which shall be incidentally necessary thereto, as fully and effectually as any natural person or body politic or corporate has power to manage the concerns belonging to such person or body, and to hold, enjoy and exercise all such powers, authorities and jurisdictions as are customary in other institutions of learning within this commonwealth.

Seal. SECTION 2. Said trustees shall cause to be made for their use a common seal, with such devices and inscriptions thereon as they shall think proper, and by and with it all deeds, diplomas, certificates and acts of said incorporation shall pass and be authenticated; and said trustees may at their pleasure alter the said seal or break it, and substitute a new one.

First meeting of trustees. SECTION 3. The said board of trustees shall meet at Mount Pleasant, within ten days from the approval of this act, to transact any business which the interests of the institution may then require; particular notice of which said meeting shall be given by the trustee first named on the list.

subsequent meetings. SECTION 4. There shall be a meeting of said trustees held as often as once a year, at or near the borough of Mount Pleasant, and at such particular times and place or places as said trustees or a quorum of them shall appoint; of which, after the first meeting, notice shall be given by a written communication, signed by the chairman or secretary of the board, and addressed to said trustees severally, at least ten days before the time of such intended meeting; and if at such meeting less than a quorum shall be present, the members present shall have power to adjourn to some other day; but if a quorum of said trustees meet at the appointed time, or at any time of adjournment, then the majority of votes of such quorum or board shall be capable of doing and transacting all the business and concerns of said institution of learning, not otherwise provided for by this act, and particularly of making and enacting ordinances and by-laws for the government and instruction of said institution of learning, within the limit prescribed by article second, section first, to the number of trustees, whose names are inserted in this charter, of electing trustees in the place and stead of those who shall decline serving, resign or die, or whose places shall be made vacant from other causes, of electing or appointing the president, professors, tutors and other teachers of said institution, of agreeing with them for their salaries and stipends, of removing them for misconduct, breaches of the ordinances of the institution or other sufficient causes, of appointing a chairman, secretary, treasurer and other officers necessary for the management of the concerns of the corporation, of providing for the maintenance and observance of discipline in said institution, and of prescribing and inflicting the penalties imposed; all violations of the rules, ordinances or regulations thereof, or for other misconduct committed by students or other persons thereat, and generally, by the majority of the board or quorum of said trustees, at any stated or extra meeting, shall

Powers of trustees.

determine all manner of things, although not herein specified, which shall occasionally arise and be incidentally necessary to be determined by said trustees: *Provided*, That said laws, rules and ordinances, or any of them, be not repugnant to the laws and constitution of this commonwealth or of the United States, or to this act.

SECTION 5. As soon as said trustees shall have obtained, in the form of subscriptions believed to be valid, an amount, in their judgment, deemed to be sufficient for the purchase of grounds and erection of buildings, suitable for such institution of learning, and the procuring of the requisite library and apparatus necessary to a full equipment of the same, they shall make such purchase, proceed to the erection of such buildings, and procure such library and apparatus as in their judgment and discretion they shall deem necessary for the use of said institution of learning.

To purchase grounds, erect buildings, &c.

SECTION 6. The said trustees shall have the general management and disposition of all funds belonging to said institution: *Provided however*, That said trustees shall exact from their treasurer adequate security for all the money and other property of the said institution which he may at any time receive: *Provided also*, That if any person contributing to the funds of said institution indicate a special appropriation of the amount so contributed, said contribution, if accepted, shall be disposed of in strict accordance with the evident intention or expressed wish of the contributor: *Provided likewise*, That all money and every species of revenue producing property, which shall come into the hands of said trustees, for the benefit of said institution, over and above the amount needed for the purchase of grounds, erection of buildings, and procuring of library and apparatus deemed necessary, shall be placed on interest, the principal secured by bond or mortgage on real estate; and the revenue thence accruing shall be exclusively and forever appropriated to the support of instruction in said institution of learning: *Provided too*, That said trustees shall not for any cause or under any pretext whatever, encumber, by mortgage or otherwise, the real estate or any other property belonging to said institution, and they shall not involve it in any debt which they have not the means of paying consistently with the restrictions above mentioned.

Management of funds.

Treasurer to give security.

Special appropriation of contributions to funds.

Money not needed for purchase of grounds, &c., to be placed on interest.

Trustees not to encumber real estate, &c.

SECTION 7. The said trustees shall annually publish an abstract of the minutes of their doings.

To publish abstracts of minutes.

ARTICLE FOUR.

SECTION 1. The president, professors, tutors and other teachers, or a majority of them, for the time being, shall constitute the faculty of said institution of learning, and in their respective departments shall have the power of enforcing the rules and regulations adopted by the trustees for the government and instruction of the students, and with the counsel and consent of a quorum of the trustees shall have power to confer degrees and grant diplomas, under the common seal of the corporation, to such students as have duly completed the

Faculty and their powers.

course of studies which they, in connection with a quorum of trustees, shall prescribe.

ARTICLE FIVE.

Misnomer.

SECTION 1. No misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, The intent of the parties shall sufficiently appear upon the face of the gift, grant, will or writing, whereby any estate or interest was intended to pass to or from said corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 364.

An Act

To incorporate the Ebensburg and Susquehanna Turnpike Road Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Edward Roberts, Henry Hopple, R. H. M'Cormick, Porter Kinports, John Buck, A. A. Barker, Abel Lloyd, Robert M'Cague, Francis Bearer and Peter Garman, or a majority of them, be and are hereby appointed commissioners to open books to receive subscriptions to stock and organize a company, by the name and style of the Ebensburg and Susquehanna Turnpike Road Company, with power to locate and construct a turnpike road from Ebensburg to the Cherry Tree, on the bed of the township roads now leading to said point, or any of them, or by such other route as they may select between said points, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed January sixth, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as the same is otherwise herein provided.

Name.

Construction of
turnpike au-
thorized.

Subject to.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, at twenty-five dollars each: *Provided*, That said company may from time to time, by vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be

necessary to complete the road and carry out the true intent and meaning of this act.

SECTION 3. That the said company may use all or such parts of public, township and state roads existing between the points aforesaid as shall be deemed practicable and beneficial to the interests of said company. May use portions of township and state roads.

SECTION 4. That the officers shall consist of one president, five managers and one treasurer, and such other officers as may be necessary to conduct the affairs of the company, and elected as provided for by the third section of the act regulating turnpike and plank road companies. Officers.

SECTION 5. That if said company does not commence the construction of said road within three years, and complete the same in ten years thereafter, this act shall be null and void, excepting so far as may be necessary to settle up the affairs and pay the debts of said company. Commencement and completion.

SECTION 6. That when said company shall have made and completed any portion of their said road between the two points mentioned in this act, they shall have power to collect and receive toll on the same, notwithstanding the distance may be less than five miles; and said company may borrow any sum of money, not exceeding ten thousand dollars, for the purpose of completing said road, at any rate of interest, not exceeding ten per centum per annum, and secure the same by mortgage on said road: *Provided*, That no bond issued for any money so borrowed shall be for a less sum than twenty-five dollars. When tolls may be collected. May borrow money.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 365.

An Act

To repeal an act relating to hawking and peddling, so far as relates to the county of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of this general assembly, entitled "An Act relating to hawking, peddling and huckstering in the counties of Indiana and Clearfield," approved the thir-

teenth day of April, one thousand eight hundred sixty-nine, be and the same are hereby repealed so far as the same relates to the county of Clearfield.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 366.

A Supplement

To an act, entitled "An Act appointing commissioners to lay out a state road from the village of Shoustown, Allegheny county, to Bock's old mill, in Beaver county," approved April ninth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the commissioners to make three fair and accurate drafts of the location of said road, noting the courses and directions as they occur, one copy whereof to be deposited in the office of the clerk of the court of quarter sessions in the respective counties through which the road may pass, on or before the first Monday of October, one thousand eight hundred and seventy-one.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 367.

An Act

To incorporate the Lancaster and Fruitville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Emanuel P. Keller, Jacob M. Mayer, David M. Mayer, George Shreiner, James L. Reynolds, Christian Hess, Henry Erb, C. Augustus Bitner, John M. Stehman Abraham Huber, Abraham Haverstick and Augustus Reinöhl, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Lancaster and Fruitville Turnpike Road Company, with power to construct a turnpike road from a point in Prince street, north of James street, in the city of Lancaster, to point in the old Manheim road, where the public road from Neffsville to Petersburg crosses the same, near George Shreiner's tavern, now kept by Samuel Hasson, in Manheim township, and to occupy the said old Manheim road and change the bed of it, and any public road on the route, when it may be deemed expedient, subject to all the provisions and restrictions, and with all the powers and privileges contained in the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except that the said company may erect toll-gates, and charge and collect tolls upon completion of said road, although the same shall not extend five miles in length, and charge and collect tolls from all persons traveling on said road more than one-half of a mile, although they do not pass through a toll gate, and from all persons going to and from funerals when not in funeral procession.

Commissioners.

Title.

Construction of
turnpike au-
thorized.May occupy old
Manheim road,
&c

Subject to.

When gates
may be erected
and tolls col-
lected.

SECTION 2. The capital stock of said company shall consist of four hundred shares, at fifty dollars a share: *Provided,* That the said company may by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as may be deemed necessary to complete the road and carry out the true intent and meaning of this act.

Capital stock.

SECTION 3. That if the said company shall not commence the said road within two years from the passage of this act, and complete the same within four years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay debts of the company.

Commence-
ment and com-
pletion.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 368.

An Act

Extending to Washington county the provisions of an act, entitled "An Act to provide for the enlargement of burial grounds and cemeteries in the county of Huntingdon," approved April twelfth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to provide for the enlargement of burial grounds and cemeteries in the county of Huntingdon," approved April twelfth, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby extended to the county of Washington.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 369.

An Act

Supplementing the charter of the Nation's Bank for Savings of Allegheny.

Preamble.

WHEREAS, The Nation's Bank for Savings of Allegheny was incorporated and made a body politic in law, by the court of common pleas of Allegheny county, at number four hundred and seventy-three, of March term, one thousand eight hundred and seventy-one, under the acts of assembly giving the courts of this commonwealth power to erect savings fund societies and building associations into corporations; and of which said charter the following is a correct copy, to wit:

"CHARTER OF THE NATION'S BANK FOR SAVINGS OF ALLEGHENY.

Name.

"SECTION 1. This association shall be known as the Nation's Bank for Savings of Allegheny.

"SECTION 2. That the association may hold, possess and enjoy in fee simple or otherwise, any real estate situated in the county of Allegheny, and shall have full power, from time to time, to sell, grant, lease, convey or mortgage the same, to any person or persons whatsoever, in fee simple or otherwise, subject, however, to the conditions and restrictions contained in the acts of assembly relating to the incorporation of savings banks, and building and loans associations. Privileges.

"SECTION 3. That the association shall have power to erect houses, and to contract for the erection, building and finishing houses, either singly or in uniform blocks or rows. Additional powers.

"SECTION 4. The capital stock shall consist of five hundred shares, of the par value of two hundred dollars each. Capital.

"SECTION 5. The corporation shall have a board of directors, not less than seven, nor more thirteen in number, to be determined in their by-laws, to be elected annually by their stockholders, and such other officers as by their by-laws they may deem requisite. Directors.

"SECTION 6. All loans shall be made on bond and mortgage: *Provided*, That no money shall be loaned without the approval and consent of the board of directors or a majority thereof. Election of officers.
Loans.

"SECTION 7. The said corporation may receive money on deposit, and allow interest for the same, at such rate of interest as their by-laws may provide, not exceeding six per centum. Deposits.

"SECTION 8. The corporation shall have power to enact by-laws for their government: *Provided*, That they are not contrary to the constitution and laws of this commonwealth or of the United States, or in contravention of the provisions of this charter. By-laws.

"SECTION 9. The president and secretary of this corporation shall, on or before the fourth Monday in January, in each and every year, make a correct and true report and exhibit, under oath, to the court of common pleas of Allegheny county, of the status of the corporation, the location and value of real estate and mortgages by them held, and the location and value of the property, if any sold by them during the year preceding, the amount of cash on hand, belonging to the corporation, and their debts and liabilities; which said report shall be placed on file in the prothonotary's office, and remain there for public inspection, subject to exception, within thirty days, by any stockholder or person directly interested; and if the same shall be excepted to, it shall be the duty of the said officers to appear and answer, under oath, in open court, any and all proper questions which may be put to them concerning the report thus excepted to; and if, upon said examination, the officers of the corporation shall be shown to be insolvent, or that the interests of the stockholders or depositors are in any manner jeopardized, the court shall proceed in such manner as they shall think meet to put the affairs of said corporation in a solvent and proper condition:" Annual report and exhibit.
To be filed in prothonotary's office.
Exceptions.

And whereas, The said corporation has been organized under said charter and are now desirous of possessing cer-

tain additional rights, powers and franchises, which the court had not the power under the laws to grant; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Former charter confirmed.

That the charter of the Nation's Bank for Savings of Allegheny, as granted by the court of common pleas of Allegheny county, at number four hundred and seventy-three of March term, Anno Domini one thousand eight hundred and seventy-one, recorded in the recorder's office of said county, in charter book volume three, (3,) page two hundred and ninety-four, (294,) is hereby validated and confirmed, except as hereinafter repealed; and the said the Nation's Bank for Savings of Allegheny is hereby declared to be a corporation and body politic in law, and to be possessed of all and singular the rights, incidents and franchises of a corporation.

Section second repealed.

SECTION 2. That the second section of their charter, as granted by the court, is hereby repealed, and in lieu thereof the following is substituted, viz: The said association may hold, possess and enjoy, to them and their successors, any real estate in the county of Allegheny, in fee simple or otherwise, not exceeding five hundred thousand dollars in cash value, and may, from time to time, sell, grant, demise, alien, lease or dispose of the same, or any part thereof, in fee simple or for any less estate, and accept liens, by mortgage or judgment, for any portion of the purchase money due thereon.

Powers extended.

Section four repealed.

SECTION 3. That section four of the charter, as granted by the court, is hereby repealed, and in lieu thereof the following is substituted, viz: The capital stock of the association shall be one hundred thousand dollars, in shares of fifty dollars each, with the privilege of increasing the same to any sum not exceeding two hundred thousand dollars, at any time, by a vote of the stockholders, at a meeting called for the purpose.

Capital.

Section seven repealed.

SECTION 4. That section seven of the charter, as granted by the court, is hereby repealed, and in lieu thereof the following is substituted, viz: That the said corporation may receive money on deposit, for which interest shall be allowed, at such rates as the by-laws may provide, not exceeding six per centum per annum; and to secure the depositors from loss, the money so deposited shall be considered a first lien upon all the realty, property and effects of said corporation: *Provided however,* That the president of the corporation may, by order of the board of directors, or a majority thereof, sell and convey any or all realty, and satisfy any or all mortgages owned by the corporation in the due and regular course of business *bona fide*; and such sale and satisfaction shall divest and discharge any lien that depositors may have.

Deposits to be a first lien.

Proviso.

May loan on mortgage or other securities.

SECTION 5. The said corporation may loan money on good real estate security, bond and mortgage, bonds, or other security of the state of Pennsylvania or of the United States, or other good and sufficient security, at the same rates of interest now allowed by law: *Provided,* That said association shall not have discounting privileges, or in any way deal in

No discounting privileges.

commercial paper, except where the same shall have been left by a depositor for collection.

SECTION 6. That the capital stock and moneys left on deposit shall be used and loaned as aforesaid, and invested in purchasing ground in fee, and erecting thereon dwelling houses, stores and other buildings, as shall be considered judicious and safe investments; and in selling or disposing of any of their improved property, the hand money shall in no case be less than one-fourth of the cost of ground, building and improvements, and the residue of the purchase money shall be secured to the stockholders and depositors by first bond and mortgage on the property so sold, and payable in such sum or sums, and at such time or times as the board of directors may determine.

SECTION 7. The directors of said corporation shall be elected annually, on the second Monday of January in each year, between the hours of nine A. M. and three P. M.; and the directors so elected shall appoint, from their own number, one person to serve as president, and such other officers and agents as they may deem necessary for conducting the business of said corporation; in case of the death or resignation of a director, the vacancy so occasioned thereby shall be filled by the remaining directors.

SECTION 8. The stockholders shall be entitled at the election for directors of said corporation to one vote for each share of stock by them held, and may vote in person or by a written proxy, but said proxy must be dated within six months of and five days prior to the election for which said proxy was given; five days' notice, by publication, shall be given in one of the city papers of the time and place where such election will be held, and such election shall be conducted in accordance with the by-laws; no stockholder shall be entitled to vote unless the share or shares have been standing in his or her name on the books of the company for thirty days previous to said election, nor unless the whole sum due and payable on the share or shares by him or her held at the time of such election shall have been fully paid and discharged.

SECTION 9. That the board of directors shall have power to pay, on application, the check, proper receipt or order of any minor or married woman such money, or any part thereof, as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband or creditors of the husband of such married woman to attach or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman.

SECTION 10. That the board of directors of said corporation may, from time to time, as in their judgment may seem fit, declare and divide dividends out of the net profits of said corporation over and above all expenses, and pay the same to their stockholders: *Provided*, That no dividend shall be so declared that in anywise impairs the capital stock of said corporation, which is to remain intact during the continuance of this charter as an additional security to depositors.

SECTION 11. That the corporation shall open an office in the

Investments.

Election of directors.

President.

Votes.

Notice of election.

Married women and minors may receive and receipt for deposits, &c.

Dividends.

Proviso.

Office

Inspection of books. county of Allegheny, and keep regular and accurate accounts in books kept for that purpose, subject to inspection, during business hours, by any stockholder.

Right of repeal. SECTION 12. The legislature reserves the right to repeal this supplement at any time after the expiration of twenty years from the date hereof.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 370.

An Act

To regulate the fees for taking paupers to the poor house in the county of Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter any person taking a pauper or paupers to the poor house in Greene county shall be entitled to receive from said county, for each day actually employed in going and returning in the discharge of said duties, with one horse and wagon or carriage or other vehicle, four dollars, and with two horses, five dollars; and for every person actually necessary as an assistant in said removal, one dollar and fifty cents per day for each day actually employed, and no other or greater fees shall be taken or received in any case for such services; and any person offending against this act shall be liable to all the penalties for taking illegal fees, to be recovered in an action of debt as in like cases.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 371.

An Act

To enable George W. Painter, late collector of taxes for Canoe township, Indiana county, to make return of unseated and seated lands in said township.

WHEREAS, George W. Painter, of Canoe township, Indiana county, collector of taxes for said township, failed to make return to the commissioners of said county of the unseated lands assessed with taxes for the year Anno Domini one thousand eight hundred and sixty-eight :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George W. Painter, collector of taxes in Canoe township, Indiana county, for the year one thousand eight hundred and sixty-eight, be and is hereby authorized to return to the commissioners of said county, within six months from the passage of this act, all unseated lands assessed for taxes in the year one thousand eight hundred and sixty-eight, in said township; and also the seated lands, (assessed under the act of eighteen hundred and forty-four,) for the same year, with the same effect as though such lands had been returned as now directed by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 372.

An Act

To incorporate the South-West Pennsylvania Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Israel Painter, Alpheus E. Willson, James A. Logan, Corporator Samuel Dillingen and Christopher S. Sherrick, and such other

Name.	persons as may associate with them, be and they are hereby created a body politic and corporate, by the name of the South-West Pennsylvania Railway Company, with perpetual succession, and all other franchises of a corporation.
Capital stock.	SECTION 2. The capital stock shall be five hundred thousand dollars, and the directors may augment the same at any time, or from time to time, to such amount as they may deem requisite to carry into effect the full intents and purposes of this act, but the original stockholders shall have the right to a valuable proportion of any increase of the capital stock as aforesaid; the directors may make any portion of the original or of the additional stock a preferred stock, with such preferences and advantages as they may determine; and they may also borrow money, at a rate of interest not exceeding eight per centum per annum, and issue bonds therefor, secured by mortgage or mortgages upon the franchises and property of the company, or upon any part or parts thereof.
Directors may make portion of stock preferred stock.	
May borrow money and issue bonds.	
Construction of railroad authorized.	SECTION 3. The company is hereby authorized to construct a railroad, with one or more tracks, by such route as the directors may select, from some point on the Pennsylvania railroad, at or near Greensburg, in Westmoreland county, <i>via</i> . Uniontown, to the boundary line of the state of West Virginia, and to construct branches and connect the main stem and branches, or either, with any other railroad already built or hereafter constructed by any company incorporated or to be incorporated under authority of this or of any other state, and may also consolidate with, lease or be leased by any such company either before or after the commencement or completion of the roads of any of the contracting corporations.
Branches.	
May connect with other roads.	
May consolidate with other roads.	
Taking of original capital stock	SECTION 4. The original capital stock authorized by this act may be taken by the parties aforesaid at any time without previous notice, and when ten per centum thereof shall have been subscribed, and five per centum of such subscription paid in, an election for president and directors may be held, at such time and place as may be agreed upon by a majority of the subscribers, notice thereof having been waived or accepted by each stockholder, or a printed or written notice mailed to their post office address at least ten days previous to the election; and upon such election the organization of said corporation shall be complete.
Election for president and directors.	
How to be regulated, &c.	SECTION 5. In all other respects the company shall be regulated by the act of the nineteenth February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, and shall be entitled to all the advantages thereof, and of all other general laws of the commonwealth relative to railroad companies, with like privileges as if organized thereunder.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 373.

An Act

To incorporate the Bear Creek Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George Kern, Aaron Whitaker, James M'Keen, Charles B. Kern and Thos. L. M'Keen, and such as may associate with them, by subscribing to the capital stock hereinafter to be named, and their successors and assigns, be and they are hereby created a body corporate and politic, in deed and in law, by the name, style and title of the Bear Creek Improvement Company, and by that name shall have perpetual succession, shall be able in law to sue and be sued, implead and be impleaded, may have a common seal, shall be competent to make by-laws for the regulation and government of the affairs of the corporation by this act created, and generally shall have the power to do all those acts that are usually necessary and proper to the efficient management and well being of the said corporation.

Corporators.

Title.
Powers and
privileges.

SECTION 2. The said corporation shall have the power, and is hereby authorized to clear out and improve and use all and every part of Bear creek, from a mile above the old Wilkesbarre and Easton turnpike, at or near the mouth of Sandy Spring brook, or where it unites with Bear creek, down to the mouth of Bear creek, or where Bear creek empties into the river Lehigh, the whole of which lies in the county of Luzerne; and the said corporation may erect dams therein, in such manner and at such points as they may deem proper, and may use all of said dams, and of all dams on the said stream between the points as designated aforesaid, and the waters of said said stream in the floating of saw-logs, and in general of all kinds of lumber down the same, and generally shall have the right to straighten, deepen, crib and widen the channel of the stream between the points as designated aforesaid: *Provided,* That no damage shall thereby be done to private property on the banks of said stream.

May improve
and use waters
of Bear creek.

Proviso.

SECTION 3. That the capital stock of said corporation shall be ten thousand dollars, and shall be divided into two hundred shares of fifty dollars each; and the parties named in the first section of this act, or a majority of them, shall organize the said corporation, by opening books for the receiving of subscription to the same, at the Lehigh hotel, in the borough of White Haven, in the county of Luzerne, on a day designated by a majority of the herein named incorporators; notice of which must be given by public advertisement, at least ten days preceding the day so designated; and as soon thereafter as a sufficiency of stock shall have been subscribed to commence operation, the stockholders shall proceed

Capital stock.

Organization.

Election of
directors.

to elect a board of directors to manage the affairs of said corporation, one of whom shall be the president of the corporation; and the election of the board of directors shall take place bi-ennially, on the second Tuesday in February, and each share of stock shall be entitled to one vote in said election; and if it shall happen that from any cause that the bi-ennial day of election shall pass without an election being held, the directors then in office shall remain such until their successors shall be elected and qualified.

Failure to hold election on day appointed.

How capital stock to be used, &c.

SECTION 4. The capital stock aforesaid shall be used in liquidating the expenses incurred in building dams and improving the navigation of the stream; and the directors are authorized to call in the stock in such manner and in such proportion as they by the by-laws may provide.

Tolls, relative to.

SECTION 5. The said corporation shall have the right to demand and receive five cents per thousand feet, board measure, for every mile logs or other lumber may be floated in the said stream; and all tolls for the use of the navigation shall be payable to the treasurer of the corporation, within ten days after the logs or lumber shall have been started in said stream; and on failure to make such payment, the party in default shall pay the tolls, with fifty per centum added thereto, and the logs so floated shall be subjected to a specific lien for said tolls; which said lien shall not be divested or made void by any sale thereof until the tolls be paid; and the said lien may be enforced either by retention of possession or replevin of the logs, whenever and wherever they may be found.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 374.

An Act

Relating to duties of register in and for the county of Cumberland.

Preamble.

WHEREAS, Inventories and appraisements on file are liable to be torn and defaced by age so as to be unintelligible; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act all executors, administrators and guardians filing inventories and appraisements in the register's office, in and for the county of Cumberland, shall be required to have the same recorded in a book of record kept for the purpose by the register of said county, for which the said register shall be allowed a fee of seventy-five cents on all such inventories and appraisements having twenty-five items or less, and one cent additional for each and every item over and above twenty-five therein contained; the said fee to be paid to the register at the time of filing the same, by the person filing them.

Executors, &c., to have inventories and appraisements recorded.

Fees of register.

SECTION 2. That the register of said county be and he is hereby required to record, in a book of record, properly indexed, to be kept for that purpose, all inventories and appraisements that have been filed in said office on and after the first day of January, Anno Domini one thousand eight hundred and sixty-six, up to the date of the passage of this act; the same fees to be allowed him as above, and to be paid by the treasurer of said county, by direction of county commissioners of said county, whose duty it shall be to audit said account quarterly, and draw their order on treasurer in favor of register for amount of same fees as above due at each audit.

Register to record inventories and appraisements filed since 1st January, 1866.

Fees.

Duty of county commissioners.

SECTION 3. It shall be the duty of the county commissioners of said county, and they are hereby required, to furnish said register, at the expense of said county, such blank books of record as he may require for the performance of the duties enjoined on him by this act.

Further duty of county commissioners.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 375.

An Act

Amending and construing an act to incorporate the Co-operative Association of Weatherly.

WHEREAS, The Co-operative Association of Weatherly does not employ more than five thousand dollars capital; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act approved the seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act to incorporate the Co-operative Association of Weatherly," be and the same is hereby so construed that the instalment of bonus to be paid thereon shall be upon the capital stock of five thousand dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 376.

An Act

For the appointment of borough auditors in Kittanning borough, in Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Appointment of
auditors, rela-
tive to,

That the town council of the borough of Kittanning, in the county of Armstrong, are authorized and required, on or before the first Monday of April, Anno Domini eighteen hundred and seventy-one, to appoint three discreet and fit persons to examine, audit and adjust all the accounts of the collectors, treasurers, weigh-masters, mayors and overseers of the poor, and other officers of said borough, from the first Monday of May, Anno Domini eighteen hundred and sixty-seven, to the first Monday of May, Anno Domini eighteen hundred and seventy.

Duty of auditors

SECTION 2. The said persons so appointed, as aforesaid, or a majority of them, shall, within ten days after the time of their appointment, meet at some place in said borough, and after having been duly sworn to perform their duties, as auditors, with fidelity and impartiality, shall proceed to examine, settle, adjust and audit all the accounts of the tax collectors, treasurers, weigh-masters, mayors and overseers of the poor, and other officers of the said borough, from the first Monday of May, Anno Domini eighteen hundred and sixty-seven, to the first Monday of May, Anno Domini eighteen hundred and seventy, and to ascertain and determine the balances due from or to said officers respectively, and to make report thereof, in writing, under the hands and seals of said auditors, to the town council of said Kittanning borough, on or before the

first Monday of May, Anno Domini eighteen hundred and seventy-one.

SECTION 3. The report of said auditors shall be filed with Report. the clerk of the town council of said borough; and the findings or settlements of said auditors, or a majority of them, shall be final and conclusive upon all parties or persons interested: *Provided however,* That it shall be lawful for the said Appeal. borough, or the officers accounting, to appeal from such settlement to the court of common pleas of Armstrong county, within thirty days after such settlement; and that such appeals shall be conducted in the same manner and subject to the same laws as are now provided in the case of appeals from the settlement of township auditors.

SECTION 4. The said auditors shall have the same power Powers and authority of auditors. and authority to obtain before them, the attendance of parties and witnesses, and the production of books and papers, and to administer oaths and affirmations as are by law given to county auditors.

SECTION 5. The said auditors shall respectively receive the Compensation. sum of two dollars for each day necessarily employed in the duties of their office, which shall be paid by the borough treasurer out of the borough funds.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 377.

An Act

To prevent cattle, horses, mules, sheep and hogs from running at large in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of April next, no cattle, Certain animals not to run at large. horses, mules, sheep and hogs shall be suffered to run at large or upon the public roads or highways in the county of Mercer, under the penalty of two dollars. Penalty.

SECTION 2. That it shall be the duty of the constables, Duties and powers of constables, &c. supervisors and path-masters in said county, and they are hereby directed and empowered, without any special warrant or other authority than this act, to seize and secure every

cattle, horse, mule, sheep and hog kind that may be found running at large as aforesaid, and the same to sell at public sale, in the same manner as is provided by law for selling strays, giving the owner, if he can be found, at least five days' notice previous to such sale; if said owner shall pay to the constable, supervisor or path-master the said penalty of two dollars, and also pay for the expense of keeping said animal or animals, then it shall be the duty of the constable, supervisors or path-master to deliver said animal, or animals, to the owners; but if he shall make a sale as aforesaid, he shall pay the overplus, after deducting the said penalty and expenses, to the owner; and the constable, supervisor or path-master making such seizure shall pay all such penalty to the school treasurer of the township where such seizure was made, for the use of the schools of said township.

Penalty for neglect of duties.

SECTION 3. That if any constable, supervisor or path-master shall neglect or refuse to seize or secure any animal aforesaid found running at large, after being notified by any person to seize and secure the same, such constable, supervisor or path-master shall pay a fine of five dollars, for the use of the schools of said township where the said constable, supervisor or path-master resides, for every such neglect or refusal: *Provided*, That the provisions of this act shall not be construed to apply to or affect milch cows.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 378.

A Supplement

To an act relating to the sale of seated lands in the county of Pike, approved the twelfth day of February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the seated lands returned for taxes unpaid before the passage of the act to which this is a supplement, and remaining due and unpaid, shall be advertised and sold as returned, (before the passage of said act,) in the name of the person assessed, without metes and bounds or adjinders, as

How lands returned prior to passage of former act to be advertised and sold.

required by the act to which this is a supplement; and the treasurer of the said county of Pike is hereby authorized to advertise and sell all seated lands so returned, viz: In the name of the person assessed without metes and bounds or adjoinders for all taxes due and unpaid, after giving notice as required by the act to which this is a supplement; excepting, nevertheless, the advertising of metes and bounds or adjoinders, and excepting as to the time of such sale, which time shall be as follows: Said sale to commence on the second Monday of June, Anno Domini one thousand eight hundred and seventy-one, and continue from day to day until the lands are all sold.

When sale to commence.

SECTION 2. That the provisions of the act to which this is a supplement, shall extend to the sale of said seated lands in all other respects, saving and excepting as to returning and advertising metes and bounds or adjoinders, and as to the time of such sale.

Provisions of former act, what to extend to.

SECTION 3. That this act shall apply only to seated lands returned for taxes unpaid before the passage of the act to which this is a supplement; and all seated lands returned for taxes, after the passage of said act to which this is a supplement, shall be returned and sold according to the provisions of the said act to which this is a supplement; and the sale of all seated lands, hereafter returned for taxes, shall be regularly made at the same time with the sales of unseated lands in said county of Pike, and shall, in all respects, be returned and sold under the provisions of the act to which this is a supplement.

This act, what to apply to.

Lands returned after passage of former act, how to be sold, &c.

SECTION 4. That the fees of the treasurer of said county, upon the advertisement and sale of seated lands, by authority of this act, or the act to which this is a supplement, shall be the same as his fees now are upon advertisement and sale of unseated lands.

Fees of treasurer.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 379.

A Supplement

To an act relative to the sale of vinous and spirituous liquors by the lessee or lessees of the restaurant rooms of the Loeser building, in the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to the sale of vinous and spirituous liquors by the lessee or lessees of the restaurant room of the Loeser building, in the borough of Pottsville," approved the twenty-seventh day of October, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby extended to the lessee or lessees of the restaurant rooms of the Union Hall, in the borough of Tremont, and the hall of the United Order of American Mechanics, in the borough of Schuylkill Haven, in Schuylkill county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 380.

A Supplement

To an act to incorporate the Lehigh and Eastern Railway Company, approved the tenth day of March, Anno Domini one thousand eight hundred and sixty-eight, fixing the time for the annual election of president and directors of said company, and extending the time for the construction of their road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the commencement of the Lehigh and Eastern Railway Company is hereby extended for a further term of three years, and said company may complete the same within six years from and after the passage of this act.

SECTION 2. That the time for the annual election of president and directors of said company the present year shall be on Thursday, the fourth day of May next.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 381.

An Act

To authorize the commissioners of Huntingdon county to pay to the supervisors of Shirley and Tell townships one thousand dollars to make a certain road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Huntingdon are hereby authorized and required to appropriate the sum of one thousand dollars, out of any moneys in the county treasury, for the purpose of aiding the townships of Shirley and Tell, in said county, in making a road recently laid out, commencing at Thomas J. Morrison's, in Shirley township, and ending at the mill of Richard Silverthorn, in Tell township, and confirmed at the last August sessions of the court of quarter sessions of Huntingdon: *Provided,* That the said money shall be equally divided between the said townships; and the county commissioners of said county shall pay the same to the supervisors thereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 382.

An Act

Supplemental to an act to incorporate the Montrose Railway Company, approved the fifteenth day of April, one thousand eight hundred and sixty-nine, reducing the capital stock, extending the time for the commencement of said road, and legalizing the acts of the commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Time for com-
mencing road
extended.

That the time for the commencement of the said railway is hereby extended to five years from the first day of June, Anno Domini one thousand eight hundred and seventy-one; and the capital stock of said company shall be reduced to the sum of five hundred thousand dollars.

Capital stock to
be reduced.

SECTION 2. That the subscriptions to the capital stock of said Montrose Railway Company, received by the commissioners mentioned in the act to which this is a supplement, are hereby legalized and made valid, although five dollars on each share of stock subscribed may not have been paid at the time of subscription.

Subscriptions to
stock legalized.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 383.

An Act

To incorporate the West Branch Musquito Creek Improvement Company, in the county of Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Dudley Blanchard, P. B. Merrill, Nehemiah Shaw, Eben T. Nutter, George B. Merrill, and such as may associate with them by subscribing to the capital stock hereinafter named,

and their successors and assigns, be and they are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the North and West Branch Musquito Creek Improvement Company, and by that name shall have perpetual succession, shall be able in law to sue and be sued, implead and be impleaded, may have a common seal, shall be competent to make by-laws and regulations for the affairs of the corporation, and generally shall have power to do and perform all those acts that are usual, necessary and proper to the efficient management and well-being of the corporation hereby created.

Name.

Perpetual succession.

Powers and privileges.

SECTION 2. The said corporation shall have power and are hereby authorized to clear out, improve and use all and every part of the West Branch of Musquito creek, in the county of Clearfield, so far up as they deem necessary; and the said corporation may erect dams therein, and in such manner and at such points as they may deem proper, and shall and may use all of said dams and waters of the said stream in the floating of saw logs down the same, and shall generally have the right to straighten, deepen, crib and widen the channel of the stream aforesaid, in such manner as they see fit for the purposes aforesaid: *Provided*, That no injury shall be thereby done to private property outside of the limits of the stream aforesaid.

Authority to improve and clear West Branch of Musquito creek.

Proviso.

SECTION 3. That the capital stock of the said corporation shall be twenty-five thousand dollars, and shall be divided into five hundred shares of fifty dollars each; and the persons named in the first section of this act, or a majority of them, shall organize the said corporation, by opening books for the receiving of subscriptions, at the office of Shaw, Blanchard and Company, in Lock Haven, on the third Monday of January next, and then and thereafter a majority of the stock shall have been subscribed, the stockholders shall proceed to elect a board of five directors to manage the affairs of said company, one of whom shall be the president of the company; and the election of directors of the company shall take place annually, at the same place, on the third Monday of January, and each share of stock shall be entitled to one vote in said election; and if it shall happen that from any cause the annual day of election shall pass without an election being held, the directors then in office shall remain such until their successors be elected and qualified.

Capital.

Organization.

Directors.

Time of election

Votes.

SECTION 4. The capital stock aforesaid shall be used in liquidating the expenses heretofore and hereafter incurred in building dams and improving navigation of the stream; and the directors are authorized to call in the stock in such manner and proportion as they may by the by-laws provide; and all persons owning timber lands upon said stream shall have the right to take of the stock of the said company a proportion of the same equal to the proportion of feet of timber he or they own thereon, as compared with the whole quantity of timber to be floated down said stream: *Provided*, The same be taken within ninety days of the opening of subscription books for said stock.

Capital stock, how used.

Provisions of certain act applicable.

SECTION 5. That the several provisions of the seventh, eighth, ninth, eleventh and twelfth sections of the act of assembly, entitled "An Act to incorporate the Anderson's Creek Public Road and Navigation Company," approved twenty-eighth March, one thousand eight hundred and fifty-nine, be and they are hereby made applicable to the stream hereinbefore named and the company hereby created, except that the tolls chargeable shall be twenty cents per thousand, board measure, for all distances floated therein; and all tolls for the use of the navigation shall be payable, if no demand for the same be made in advance, to the treasurer of the company within ten days after the lumber shall have been started in said stream; and on failure to make such payment, the party in default shall pay the tolls, with fifty per centum added thereto, and the logs so floated shall be subject to a specific lien for said tolls; which said lien shall not be divested by any sale thereof until the tolls be paid, except by a judicial sale; and said lien may be enforced either by retention of possession or replevin of the logs whenever and wherever they may be found.

Tolls.

Penalty for non-payment.

Lien.

To give bonds to indemnify property owners.

SECTION 6. That said party shall file a bond in the court of common pleas of Clearfield county, in the sum of five thousand dollars, with three sureties, to be approved by said court, conditioned to indemnify all property-holders on said stream for any loss they may sustain by reason of said improvement.

Forfeiture of stock.

SECTION 7. That any stockholder, subscriber to stock, or assignee of either thereof, may be compelled to pay his stock by him subscribed to the capital stock of the said corporation, or the same may be forfeited, at the option of the corporation, in the manner and under the mode of proceeding provided for the collection of stock in turnpike, plank road and bridge companies, in the eighth section of the act of January twenty-sixth, one thousand eight hundred and forty-nine, regulating the organization of turnpike and plank road companies.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 384.

An Act

To incorporate the Watsontown Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That William Dougall, A. Stull, L. S. Delate, R. J. Cook, William Menges, William Wolcott, G. N. Wagner, J. M. Follmer and William M'Cleery, of Northumberland, Lycoming and Clinton counties, and such as may associate with them by subscribing to the capital stock hereinafter named, and their successors and assigns, be and are hereby created a body politic and corporate, in deed and in law, by the name, style and title of the Watsontown Improvement Company, and by that name shall have perpetual succession, shall be able in law to sue and be sued, may have a common seal, shall be competent to make by-laws and regulations for the government of the affairs of the corporation, and generally shall have power to do and perform all those acts that are usually necessary and proper for the efficient management and well being of the corporation hereby created; power and authority is hereby given to the said corporation to use the banks on the west side of pool, in Muncy dam, for three and one-half miles up said stream from the dam, for the purpose of putting in stakes, posts, cribs, et cetera, for the better securing of timber, rafts, boards, logs, et cetera, by cable or rope, during high water and at other times; and that the capital stock of said corporation shall be one thousand dollars, divided in shares of fifty dollars each; and the persons named in the first section of this act, or not less than five of them, shall organize the said corporation, by opening the books for subscription to the capital stock, at the office of G. N. Wagner and Company, in the borough of Watsontown, as soon as practicable after the passage of this act shall become a law; but ten days' notice of the time of opening shall be published in one weekly newspaper in each of the said counties, and after a majority of the stock shall have been subscribed, and the stockholders shall proceed to elect five directors, one of whom shall be president of the company; and the election of directors shall thereafter be held annually, on the first Monday of June, at the office of the company, each share of stock to entitle the holder to one vote, either by person or proxy; the rates and charges to be made by said company not to exceed five cents per one thousand feet board measure, and two cents per one hundred cubic feet; and any person tampering or meddling with rafts, ropes, posts, et cetera, in any shape, to be liable for damages and imprisonment.

Corporators.

Name.
Perpetual succession.

Powers and privileges

Corporation authorized to use banks of pool in Muncy dam.

Capital.

Organization.

Publication of notice.

Directors.

Votes.
Rates of charge.

Penalty for meddling with rafts, &c.

ment for not less than two years ; this section to apply to the whole West Branch of the Susquehanna river.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 385.

An Act

For the relief of James S. Wharton, of Philadelphia, a soldier of the war of one thousand eight hundred twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and required to pay to James S. Wharton, out of any moneys in the treasury not otherwise appropriated, a gratuity of forty dollars, and an annuity of forty dollars a year, from January first, one thousand eight hundred and sixty-eight, to January first, one thousand eight hundred and seventy: *Provided,* That the name of the said James S. Wharton is found on the rolls in the auditor general's office.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 386.

A Supplement

To an act relating to the consolidation of the Warren and Franklin, the Farmers' and the Oil Creek railroad companies into a new corporation, to be known as the Oil Creek and Allegheny River Railway Company, approved April third, Anno Domini one thousand eight hundred and sixty-eight, authorizing the said last named company to reduce its minimum price for the transportation of oil.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the articles of consolidation and merger referred to in the above mentioned act, as relates to the minimum price for the carriage of oil, without regard to distance, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 387.

A Supplement

To an act, entitled "An Act to provide for opening and extending Cemetery avenue, in the Twenty-seventh ward of the city of Philadelphia, and vacating part of a certain state road adjacent thereto," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, entitled "An Act to provide for the opening and extending Cemetery avenue, in the Twenty-seventh ward of the city of Philadelphia, and vacating a part of a certain state road adjacent thereto," approved the twenty-sixth day of April, one thousand eight hundred

and sixty-nine, be and is hereby so amended as to read as follows, viz: That Cemetery avenue, running westward from the Darby plank road along the south side of Mount Moriah cemetery, in the Twenty-seventh ward of the city of Philadelphia, shall be opened of the width of forty feet, and diverge from the said cemetery at the intersection of the ground of Benjamin B. Comegys, southward three hundred and sixty feet; and thence westward along the said Comegy's land nine hundred and seven feet, more or less; and thence south-westward to the bridge recently erected over Cobb's creek; and the city of Philadelphia shall not be liable for any damages for the opening or widening of said avenue.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 388.

An Act

Relative to the parade ground in the Twenty-sixth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the thirty-ninth section of the act of assembly, approved April sixteenth, Anno Domini one thousand eight hundred and thirty-eight, entitled "An Act granting certain powers to the authorities of the cities of Lancaster and Philadelphia, and for other purposes," whereby the inspectors of the Philadelphia county prison are hereby authorized and directed to have the part or parts of the vacant ground attached to said prison prepared and kept for a parade ground, for the volunteer militia of the city and county of Philadelphia, be and the same is hereby repealed.

Portion of certain act repealed.

Certain lot dedicated as a public square.

Councils to prepare lot as a public square.

SECTION 2. The square and lot of ground bounded by Wharton and Reed streets, and Twelfth and Thirteenth streets, in the city of Philadelphia, is hereby dedicated as a public square forever; and the select and common councils of the said city are authorized and required to prepare the said square or lot of ground for the purpose of a public square,

on or before the first day of July, Anno Domini one thousand eight hundred and seventy-two.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 339.

An Act

Repealing an act, entitled "An Act relating to roads and bridges in the counties of McKean, Bedford and Venango, approved the ninth day of April, Anno Domini one thousand eight hundred and seventy," so far as Bedford and Venango counties are concerned.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act relating to roads and bridges in the counties of McKean, Bedford and Venango," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as Bedford and Venango counties are concerned; and that all acts and parts of acts which were in force in the counties of Bedford and Venango, at and immediately before the approval of said act, and were repealed thereby, be and the same are hereby revived and re-enacted: *Provided*, That no contract entered into by the supervisors, the collection of taxes assessed, the liabilities incurred, nor proceedings instituted in court under said law hereby repealed, shall be in anywise affected.

SECTION 2. That the supervisors elected in the county of Bedford, at the October election, Anno Domini one thousand eight hundred and seventy, shall discharge the duties of supervisors in their respective townships, and serve the length of time specified in the act or acts hereby revived.

SECTION 3. That the supervisors elected in the county of Venango, at said October election, shall discharge the duties of road commissioners in their respective townships for the period of three years from the time of their election as supervisors, under the provisions of the act or acts hereby revived: *Provided*, The courts of quarter sessions of said counties shall have power and authority to appoint all officers necessary to fill vacancies occurring under the act or acts hereby

Act repealed.

Former acts revived.

Proviso.

Duties, &c., of supervisors elected in Bedford county, at October election, 1870.

Duties of supervisors elected in Venango county, at October election, 1870.

Proviso.

Proviso.

revived and not herein provided for; said appointed officers to perform the duties of their respective offices until the next election for township officers in their respective townships: *Provided also*, That the two road commissioners in each township in Venango county, who would have been in office one for two years and one for one year, from the October election of Anno Domini one thousand eight hundred and seventy, aforesaid, if the law hereby repealed had not been enacted, shall, under acts hereby revived, in their respective townships, discharge the duties of road commissioners until the next election for township officers, and, together with the supervisors, upon whom the duties of road commissioners are hereinbefore imposed, shall constitute the board of road commissioners in their respective townships, and appoint road masters, required by law hereby revived, who shall act until the next election for township officers in their respective townships, when one road commissioner shall be elected for two years and one for three years, and the required number of road masters for the different townships of Venango county, one road commissioner, for three years, and the required number of road masters shall be annually thereafter elected in each township of said Venango county: *And provided further*, That the supervisors aforesaid, in Venango county, shall be paid such moneys to which they would have been entitled under the law hereby repealed, for services rendered, moneys expended and liabilities incurred from the time they may have entered upon the discharge of their duties under act hereby repealed, to the date of the approval of this act, by orders drawn by the township auditors of their respective townships upon the township treasurer of their respective townships, after said auditors shall have ascertained the amount due said supervisors.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 390.

An Act

To incorporate the Pittston Trust Company and Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Payne Pettebone, Thomas Ford, H. R. Hughes, D. S. Stark, George Daman, Daniel Searle, A. M. I. Dewitt, H. H. Cooley, Peter Seibel, Charles Law, R. Bevan, Lewis Pughe and F. Brune, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name of the Pittston Trust Company and Savings Bank, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of Pittston, county of Luzerne: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Corporators.
Name.
Powers and privileges.

Misnomer.

SECTION 2. That the purpose of this act is to organize and incorporate a savings bank and trust company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth; to take and accept by grant, assignment, transfer, devise or bequest, and hold any real or personal estate, or trusts created in accordance with the laws of this state, and execute such legal trusts in regard to the same, on such terms as may be declared, established or agreed upon in regard thereto, to accept from and execute trusts for married women, in respect to their separate property, whether real or personal, and act as agents for them in the management of such property, and to receive and become the depository of all trusts and such other funds that may be paid in to, or be under the control of the several courts of this state, and the laws of the same: *Provided*, That the said courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors with interest, at such rates as may be fixed semi-annually by the directors in lawful money, national bank notes of banks incorporated in this state, at par, in sums not less than one dollar when required during business hours: *Provided*, That deposits by married women and minors may be re-paid to them, and such re-payments made upon their orders, checks or receipts, shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to the husband of said married woman, or the parent or guardian of such minors.

Purpose.
Business.

Prohibition.

Payment of deposits.

Deposits by married women and minors.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in the company incorporated, to

Capital to be raised for security of depositor

raise and form a capital of two hundred thousand dollars, to be divided into shares of one hundred dollars each, and paid in as shall be required by the board of directors; but one-fourth thereof shall be paid in before the said corporation shall commence business.

Investment of funds.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth or of the United States, or other stocks and bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

Powers of directors.

SECTION 5. That the directors shall have power by their by-laws to prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe; but the whole number of directors shall at no time be less than nine.

Number of directors limited.

Meeting of corporators.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day, within twelve months from the passage of this act, as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers at least nine directors, to manage the affairs of the said corporation; said directors shall choose from their own number a president and a vice president, and may appoint and remove at will such other officer as they shall deem necessary; said president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all the rights, powers and privileges which are intended to be hereby given.

Purpose of meeting.

Officers.

Real estate.

SECTION 7. That the real estate which it shall be lawful for said corporation to hold shall be only such as is requisite for the accommodation and convenient transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise to secure debts due it; and that in all cases of loans upon real estate the expenses of searches, examination of certificates and recording papers, shall be paid by the borrower.

Expenses of searches, &c.

Interest on deposits, relative to.

SECTION 8. That the directors, at their first regular meeting in January and July of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposit shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest to be allowed for the fraction of a month.

Dividends, relative to.

SECTION 9. That it shall be the duty of the directors of said corporation, on the first Monday in February and August in each year, to make and declare, out of the net proceeds and profits of the business of said corporation, a dividend of so much thereof as they may deem best, and the same to pay over to the stockholders or legal representatives, within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend, from any source whatever, other than the net

profits and gains of the business of said corporation, or shall receive from any person or persons any deposit after the assets of the said corporation shall have become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and fifty per centum of the capital paid in, they shall become and be, and so long as said depreciation continues shall remain, jointly and severally personally liable to the depositors with and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

SECTION 10. That the shares of said corporation shall be transferable on its books, in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by said stockholder then owned; that if any person or persons shall subscribe to the original stock of said corporation, and shall omit to pay any instalments of the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of the said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; that the books of said corporation shall at all times, during business hours, be open for the inspection of such agents as the legislature shall appoint for that purpose.

SECTION 11. That the officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give bonds, in such an amount as the directors shall fix, for their fidelity and good conduct, and for the safe keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others, and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portion of the by-laws and regulations of the said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

SECTION 12. It shall and may be lawful for any court of the commonwealth of Pennsylvania, and for any person or persons or bodies politic or corporate, by deed, will or otherwise, to make, constitute and appoint the said corporation, with the consent of the same, a trustee, assignee or guardian of the estate of minor children, committee of a lunatic or receiver, and to allow it like compensation for the execution of such trusts as would by law be allowed to individuals, and such as may be agreed upon before accepting any such trusts from or on behalf of any of the said person or persons and bodies politic or corporate; and the said corporation is further empowered to accept such appointment, and to act as executor or administrator of any deceased testator or intestate; and letters testamentary and of administration may be issued by the register of wills of the proper counties to it for such

Shares transferable.

Votes.

Failure to pay instalments.

Books to be open for inspection.

Officers and agents to give security.

Portions of by-laws and regulations to be put up in office.

May be appointed trustee, assignee, &c.

appointment as executor or administrator as the said corporation may accept, without such bond or surety.

Capital stock security for performance of duties.

SECTION 13. That the capital stock of said corporation shall be taken and considered as the security required by law for the faithful performance of its duties as such executor, administrator, trustee or receiver, and shall be liable in case of default.

Limitation.
Reservation.

SECTION 14. That this charter shall continue for twenty years, but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the corporators: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes

Individual liability.

SECTION 15. That the stockholders shall be held individually responsible, equally and ratably, and not for another, to the depositors with such association, to the extent of the amount of their paid up stock therein, at the par value thereof, in addition to the amount invested in such shares after the remedies against said corporation shall have been exhausted.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 391.

An Act

To incorporate the Plymouth Savings Bank.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Ira Davenport, J. J. Shonk, E. C. Wadhams, Frank Turner, J. W. Eno, G. P. Richards, J. F. Reynolds, Anthony Duffy, Samuel Vanloon, T. J. Phillips, H. W. French, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name, style and title of the Plymouth Savings Bank, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and alter and renew the same at pleasure, to make and put in force all such by-laws,

Name.

Powers and privileges.

ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of Plymouth, in the county of Luzerne: *Provided*, That a misnomer of the said corporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Location.
Misnomer.

SECTION 2. That the purpose of this act is to incorporate and organize a savings bank and loan and trust company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money, not less than one dollar, and to transact any other business transacted by banks in this commonwealth;

Purpose.
Business.

to take and accept by grant, assignment, transfer, devise or bequest, and hold any real or personal estate or trusts created in accordance with the laws of the state, and execute such legal trusts in regard to the same, on such terms as may be declared, established or agreed upon in regard thereto, to accept from and execute trusts for married women, in respect to their separate property, whether real or personal, and act as agents for them in the management of such property, and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same:

May accept and execute trusts.

Provided, That the law courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors, with interest, at such rates as may be fixed annually by the directors, in lawful money, national bank notes or notes of banks incorporated in this state, at par, in sums not less than one dollar, when required during business hours: *Provided*, That deposits by married women and minors may be re-paid to them, and such re-payments made upon their orders, checks or receipts shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to the husband of said married women, or the parent or guardian of such minors.

Not authorized to issue notes.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associates with them as stockholders in the company incorporated, to raise and form a capital of twenty thousand dollars, to be divided into shares of fifty dollars each, and paid in as shall be required by the board of directors; but one-half thereof shall be fully paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof, as they from time to time shall elect, to any amount not exceeding two hundred thousand dollars: *Provided*, That the stockholders, at the time of such increase, shall each be entitled to a *pro rata* share of such increase, upon the payment of the par value thereof; such right to be

Married women and minors may receive and receipt for deposits.

Capital.

Shares.

May increase capital.

Proviso.

forfeited, however, if not availed of within ten days of the time fixed for subscription therefor by public notice.

May invest in state and national securities, &c.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth or of the United States, or other stocks or bonds, or real or personal securities, or in such other manner as may be deemed appropriate and safe.

Certificates.

SECTION 5. That the directors shall prescribe the form of certificate to be issued to depositors, and the mode of making transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed nine.

Election of directors.

Proviso.

First meeting of corporators.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day, within twelve months from the passage of this act, as the majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers seven directors, to manage the affairs of the said corporation; said directors shall choose from their number a president and vice president, and may appoint and remove, at will, such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all of the rights, powers and privileges which are intended to be hereby given.

Directors.

Officers.

May purchase and hold real estate.

SECTION 7. That the real estate which it shall be lawful for the said corporation to hold shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise to secure debts due it; and that in all cases of loans upon real estate the expenses of researches, examination of certificates and recording papers shall be paid by the borrower.

Directors to fix rates of interest for deposits.

SECTION 8. That the directors, at their first meeting in January of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposits shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest be allowed for fractions of months.

Dividends.

SECTION 9. On the first Tuesday in January and July in each year the directors shall make and declare, out of the net proceeds and profits of the business of said corporation, a dividend of so much thereof as they deem best, and pay the same over to the stockholders or their legal representatives, within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposits, after the assets of said corporation shall become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and

Liability of directors for making unearned dividends, &c.

fifty per centum of the capital paid in, they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

SECTION 10. The shares of said corporation shall be transferable on its books, in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by each stockholder then owned; if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any installment of the same, for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of said corporation may sell or dispose of the said stock, as they may deem most advantageous to said corporation; the books of said corporation shall at all times, during business hours, be open for the inspection of such as the legislature shall appoint for that purpose.

Transfer of stock.

Votes.

Forfeiture of stock on failure to pay installments.

SECTION 11. The officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give bonds in such an amount as the directors shall fix, for their fidelity and good conduct, and for the safe keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others; and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of said corporation, as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Officers to give bond.

May require increase of bonds.

SECTION 12. It shall and may be lawful for any court of the commonwealth of Pennsylvania, and for any person or persons or bodies politic or corporate, by deed, will or otherwise, to make, constitute and appoint said corporation, with the consent of the same, a trustee, assignee, guardian of the estate of minor children, committee of lunatic, or receiver, and to allow it like compensation for the execution of such trusts as would by law be allowed to individuals, and such as may be agreed upon before accepting any such trust, from or on behalf of any such person or persons and bodies politic or corporate; and the said corporation is further empowered to accept such appointment, and act as executor or administrator as the said corporation may accept, without such bond or surety.

Courts may appoint corporation trustee, guardian, receiver, &c.

SECTION 13. The capital stock of said corporation shall be taken and considered as the security required by law, for the faithful performance of its duties as the executor or administrator, trustee or receiver, and shall be liable in case of default.

Stock liable in case of default.

SECTION 14. This charter shall continue for twenty years,

Limitation of
charter.

but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the stockholders: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Taxes and
bonus.

Individual lia-
bility.

SECTION 15. The stockholders of said bank shall be individually liable to double the amount of stock held by them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 392.

An Act

To incorporate the City Bank of Scranton.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That D. B. Oakes, D. T. Richards, D. B. Brainard, Edward Jones, J. H. Gunster, Daniel Howell, Peter Burschel, Thomas Moore, J. C. Burgess, M. M. Kearney and John Handley, together with such other persons as shall become stockholders in said bank, shall be and are hereby created a corporation and body politic, by the name and style of the City Bank of Scranton, to be located in the city of Scranton, and by that name, or any other name hereafter legally adopted, shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, may renew or alter the same, also may have the right to own and hold real estate, and improve and dispose of the same at pleasure.

Name.

Privileges.

Capital stock.

SECTION 2. That the capital stock of said bank shall be five hundred thousand dollars, to be divided into ten thousand shares of fifty dollars each, which shall be paid in such instalments as the said bank shall direct, by a majority vote of the board of directors, with the privilege of increasing the capital stock by a vote of the directors, to the amount not exceeding one million of dollars: *Provided*, That the said bank may commence operations as soon as fifty thousand dollars of the capital stock shall have been paid in.

Commence-
ment of opera-
tions.

SECTION 3. That the said bank shall have power, and may borrow or lend money for such period as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust or as collateral security for loans or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

May borrow money, discount negotiable paper, &c.

SECTION 4. That the board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or United States, and shall have power to require payment of any amount remaining unpaid on the capital stock of said bank, at such times in such proportions as they think proper, and after thirty day's notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

By-laws.

Payment of amounts remaining unpaid on stock.

SECTION 5. That the said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities.

May receive money to keep for depositors, buy bullion, &c.

SECTION 6. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agents of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city governments and counties and districts, in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of the duties if required.

May act as treasurer of charitable institutions, &c.

SECTION 7. It shall be lawful for said bank to borrow money, but not in excess of the capital stock subscribed, and to secure the same by mortgage or pledge of stocks or bonds, or otherwise, and on such terms as a majority of the directors may deem expedient.

May borrow money.

SECTION 8. That the said bank, not being a bank of issue, shall not be subject to the restrictions provided in section seventeenth of an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty," approved April twenty-second, Anno Domini one thousand eight hundred and fifty-four.

Not subject to certain restrictions.

SECTION 9. The board of directors shall have power to declare and pay dividends of the net profits or earnings of the

Dividends.

bank, to the stockholders, at such times and in such amounts as to them may seem proper.

Annual election for president and directors.

Officers and agents.

Votes.

Notice of elections.

Number of directors limited.

Vacancies.

Bonus and taxes

Individual liability.

SECTION 10. That the annual election for president and directors shall be on the first Monday of November of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but such proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice, by publication in one or more of the city papers, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws: *Provided*, The stockholders shall at no time elect more than eleven directors to serve at any one time, and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as said board may by by-laws direct.

SECTION 11. That the said bank shall pay into the treasury of the commonwealth, in four equal annual instalments, a bonus of one-half of one per centum upon the capital stock paid in, the first payment to be made in one year from the date of the organization of the said bank, and a like bonus upon any increase of capital that may be authorized by the directors and paid in at any time thereafter, and such other taxes as are now or may hereafter be required by law; and this charter shall continue for twenty years.

SECTION 12. The stockholders shall be individually liable in double the amount of the capital stock held by them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 393.

An Act

Authorizing the authorities of the city of Philadelphia to designate certain streets to market purposes, for farmers to sell their produce.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the city councils of Philadelphia are hereby authorized to establish a market, or markets, for the sale of produce by farmers, on any street or streets north of Laurel street, east of Howard and north-westwardly to Thomson street, where a majority of the property owners on said street or streets consent thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 394.

A Supplement

To an act, entitled "An Act relating to the prison of the county of Delaware," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That every person who has heretofore been or who shall hereafter be convicted, in any court of criminal jurisdiction in the said county, of any crime, except murder in the second degree or manslaughter, the punishment of which would now be imprisonment in the state penitentiary, may be sentenced by the proper court to suffer punishment, by separate or solitary confinement, at labor, either in the state penitentiary or in the said county prison, at the discretion of the court.

How persons convicted of crimes punishable by imprisonment in penitentiary may be sentenced.

SECTION 2. That any three of the inspectors of the prison are authorized to discharge without the delay and expense of any proceedings under the insolvent laws of this commonwealth, every convict who may be sentenced to a term of imprisonment, and who may have served out the same, notwithstanding he may not have paid the costs of prosecution or fine, or restored the property stolen, or the value thereof, if, in the judgment of the said inspectors, such prisoner is unable to pay or restore the same: *Provided,* That such discharge shall not interfere with the right of the commonwealth or the public officers, or any person interested in the payment or restitution aforesaid, to proceed by action to recover the amount from the property of such prisoner: *And provided also,* That before such discharge the prisoner shall exhibit to such inspectors, on oath or affirmation, to be ad-

Discharge of convicts who have served out terms of sentences, relative to.

ministered by any one of them, duplicate schedules of all his property to which he is in any manner entitled, one whereof shall be filed and preserved with the papers of the prison, and the other forthwith transmitted to the clerk of the court in which the prisoner shall have been tried, to be filed with the other papers relating to the case.

Portions of certain act repealed.

SECTION 3. That so much of the first article of the fourth section of the act, entitled "An Act relating to the prison of the county of Chester," approved the first day of February, Anno Domini one thousand eight hundred and thirty-nine, as provides for the appointment of a treasurer, and also the eighth section of said act, so far as they relate to Delaware county, be and they are hereby repealed.

Accounts of receipts and expenditures, relative to.

SECTION 4. The inspectors shall cause accurate accounts to be kept by the keeper of the prison, of all receipts and expenditures; which accounts shall be annually examined and settled by the auditor of said county, and published in at least two of the county papers for three consecutive weeks.

Duties of inspectors.

SECTION 5. It shall be the duty of the inspectors to order, furnish and purchase all articles, tools, machinery and materials necessary for the employment of all persons confined in said prison, also, all apparatus for the lighting and heating of said prison, and supplying the same with water, and for the cooking and preparing of food for the persons confined in said prison, and all other apparatus and things necessary for keeping said persons so confined in a clean and proper condition, and to carry out the rules and regulations of said prison.

Expenses, how defrayed.

SECTION 6. For the funds necessary for keeping, furnishing and maintaining said prison, the inspectors are hereby authorized to apply to the commissioners of said county, who shall draw an order on the treasurer of said county for such sum as may be necessary to satisfy such demands.

Powers and duties of keeper.

SECTION 7. That the keeper of said prison, appointed and qualified to act, and who shall have entered upon the duties of his office, he shall, *ex-officio*, be the keeper of the jail of Delaware county, and shall have the same power which by law is now vested in the high sheriff of said county: *Provided nevertheless*, That the said keeper shall and he is hereby bound to deliver unto the sheriff of the said county, all prisoners who, by virtue of any sentence, order or decree of any court, he shall be required and directed to receive and take charge of for the purpose of carrying into execution such sentence, order or decree.

To receive and take charge of persons committed to prison

SECTION 8. The keeper of the said prison, when qualified as aforesaid, shall also, and he is hereby required and directed to receive and take charge of all persons lawfully committed by any court, magistrate or justice of the peace, or other officer having power to commit to prison; and said keeper shall be responsible for the safe keeping of all persons so committed, and to the same extent that sheriffs and jailors are now by law held liable, and shall receive fifty cents for each prisoner received by him, which sum has heretofore been paid to the sheriff of said county.

Fees.

SECTION 9. The keeper shall, before entering upon the duties of his appointment, give bond to the commonwealth of Pennsylvania, with such security, and in such amount, as the court of quarter sessions of Delaware county shall approve and determine, for the faithful observance and performance of all duties enjoined on him by this or any former or subsequent act of the legislature, or by rules made, or which may be made, by the inspectors of the said prison, in accordance therewith, for a just and accurate account of all moneys, goods, chattels and effects of all kind and description whatever that may come into his hands or be placed under his care, in pursuance of his appointment, on behalf of the said prison or any person confined therein, for the delivery to his successor in office of all books, papers and documents; also of all goods, chattels and effects which he may have and hold in right of his appointment, and for the payment of any balance of money belonging to said prison, or any persons confined therein, remaining in his hands, and for the safe keeping of all debtors and other persons committed to his charge; which bond shall stand for the use of any person or persons injured by the acts or delinquencies of said keeper, and may be proceeded on by any persons aggrieved, in the same manner now directed as to sheriffs' bonds; the matron and all other persons employed in or about the prison shall, if the inspectors require it, give bond, with security, in amount as aforesaid, conditioned as near as practicable to that of the keeper, and in such other manner as the inspectors shall fix and determine.

To give security

Matron and other employees may be required to give security

SECTION 10. That it shall be lawful for the inspectors of the prison of the county of Delaware, whenever in their discretion they may deem it advisable, and under such rules and regulations as they may prescribe, to permit ministers of the gospel, or other pious and well-disposed persons, to visit the prisoners confined therein for the purpose of instructing them in branches of useful education and advising and instructing them in their moral and religious obligations.

Inspectors may permit ministers to visit prisoners.

SECTION 11. That any two of the inspectors of the prison of the county of Delaware are hereby authorized to permit any well-disposed person to visit any convict or prisoner confined in said prison as they, in their discretion, may think proper.

May permit others to visit prisoners.

SECTION 12. All laws inconsistent with this supplement are hereby repealed, so far as relates to the county of Delaware

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 395.

An Act

To incorporate the Overland Contract Company, and to define the powers thereof.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. D. Barclay, S. S. Moon and C. Grinnell, their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the Overland Contract Company, and by that name, style and title to have perpetual succession, and all the privileges and franchises incident to a corporation.
- SECTION 2.** The said corporation shall also have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred in and by an act of assembly of this commonwealth, entitled "An Act to incorporate the Pennsylvania Company," approved on the seventh day of April, Anno Domini one thousand eight hundred and seventy, as if the same were herein specially and particularly set forth.
- SECTION 3.** The said corporation shall have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred by a supplement to the said last mentioned act of assembly, approved on the eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one, as if the same were herein specially and particularly set forth.
- SECTION 4.** That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and designate the location of its general office; which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 396.

An Act

To incorporate the American Improvement Company, and to define the powers thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That W. E. Lawrence, F. Semple, Joseph H. Irwin, G. B. Edwards and John T. Dennisten, their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the American Improvement Company, and by that name, style and title to have perpetual succession, and all the privileges and franchises incident to a corporation.

SECTION 2. The said corporation shall also have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred in and by an act of assembly of this commonwealth, entitled "An Act to incorporate the Pennsylvania Company," approved on the seventh day of April, in the year of our Lord one thousand eight hundred and seventy, as if the same were herein specially and particularly set forth.

SECTION 3. The said corporation shall also have, exercise and enjoy the same rights, powers, privileges, franchises and immunities as are conferred by a supplement to the said last mentioned act of assembly, approved on the eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one, as if the same were herein specially and particularly set forth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 397.

A Supplement

To an act, entitled "An Act to erect Norristown, in Montgomery county, into a borough, conferring additional powers."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Norristown, in the county of Montgomery, be and they are hereby authorized and empowered to grant the right and privilege to any person or persons to dig and lay pipes or trunks along any of the streets, roads, lanes and alleys in the borough of Norristown, for the purpose of conveying water to any manufactory or print works owned by such person or persons, upon such conditions as may be agreed upon.

JAMES H. WEBB,

Spèaker of the House of Representatives.

WILLIAM A. WALLACE,

Spèaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 398.

A Supplement

To an act to lay out a state road in the city of Philadelphia and the county of Bucks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners appointed by an act of assembly approved the sixth day of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act to lay out a state road in the city of Philadelphia and the county of Bucks," be and they are hereby authorized and directed to lay out and continue said road from its present terminus, at the village of Tacony, in the city of Philadelphia, to a point at or near the Wissanoming creek, in the Twenty-third ward of said city, upon the same terms and conditions as are pre-

Commissioners
to continue road

scribed in the act to which this is a supplement, for laying out and opening the other portion of said road.

SECTION 2. That as soon as the extension of said road hereby authorized shall be laid out and opened according to law, so much of the old road, known as the River or Taconey road, as runs parallel therewith between Washington or Franklin streets and the Wissanoming creek, and so much of the Buttermilk road as lies between the River or Taconey road and the new road, shall be vacated and the property shall revert to the owners of the land along the line of said road; and in the assessment of damages the advantages as well as disadvantages of said new road shall be taken into account.

When opened,
old road to be
vacated.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 399.

An Act

To incorporate the Blooming Grove Park Association.

WHEREAS, It is represented that a club is being formed now, composed of certain persons residing in Pennsylvania and other states, and who desire and intend to unite with them citizens of all the states, for the purpose of giving a fuller development to field, aquatic and turf sports, cultivation of forests, and of preserving and propagating the different varieties of game, animals, birds and fish, both of Europe and America, and preventing their extinction, and to supply the same for propagation to the different sections of our country; and that certain tracts of land, situated in the townships of Blooming Grove, Porter and Greene, Pike county, and containing about twelve thousand acres, have already been purchased by certain persons desirous of organizing the said corporation, and that they have also hired the privilege of shooting and fishing over certain lands adjacent thereto, and may find it essential to buy or lease other property or lease the privilege of hunting or fishing thereon:

Preamble.

And whereas, It is represented that it is necessary for the full success of the enterprise that the club may be able to buy, lease or sell real estate, make and enforce their own game laws as to the time and manner of taking game and fish

in order to give greater efficiency and facility to their efforts to attain the objects of their association; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That the following named persons: Fayette S. Giles, Genio C. Scott, Lafayette Westbrook, Dudley Field, Charles Hallock, Sanders D. Bruce, John M'Gee, Warren K. Ridgway and John C. Westbrook, George M. Hager and John Mangle, their present and future associates, and their successors and assigns, are hereby constituted and declared to be a body corporate and politic, in deed and in law, under the name, style and title of the Blooming Grove Park Association, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended in all courts of law or equity, and may make and have a common seal.

Title.

Privileges.

Capital stock.

SECTION 2. The capital stock of the said association shall be the sum of two hundred and twenty-five thousand dollars, consisting of five hundred shares of the par value of four hundred and fifty dollars for each share; but the directors may at any time, and from time to time, by a vote of two-thirds in interest, increase the amount of such capital stock and the par value of each share thereafter to be subscribed for: *Provided*, That the entire capital stock shall not exceed the amount of five hundred thousand dollars, and that the corporation shall own in fee at least twenty-five acres of land for each four hundred and fifty dollars of capital.

Proviso.

How affairs to be governed.

SECTION 3. The affairs of the said corporation shall be governed by a board of eleven directors, and the persons above named shall be the directors thereof until the second Tuesday of March, one thousand eight hundred and seventy-two, when a new board shall be elected; and thereafter on the second Tuesday of March in each year, at twelve noon, a meeting of the stockholders shall be held, when the by-laws may be amended, subject to the ratification or rejection of the board of directors, then to be chosen, at their next monthly meeting; any business of the company within its charter may be transacted, and a board of directors, consisting of eleven persons, shall be chosen to manage the affairs of the said corporation for the ensuing year; such election shall take place at the office of the company, upon the grounds owned by it in Pike county, under the direction of two inspectors of election, to be chosen at the previous monthly meeting of the board of said corporation; and every share shall be entitled to one vote, to be cast by the person in whose name the same shall have stood upon the books of the corporation at least thirty days prior to such election, or by any person holding the written proxy of such person to cast the same.

First directors.

Meeting of stockholders.

Election of directors.

Objects of corporation.

SECTION 4. The objects of the said corporation shall be the preservation, importation, breeding and propagation of all game, animals, birds and fishes adapted to the climate, the affording of facilities for hunting, shooting and fishing on the grounds thereof by the members of or by persons licensed by said corporation, supplying the spawn of fish or young fish,

game, animals or birds to other associations or persons, and selling such surplus game, animals or birds or fish as may be killed, caught or taken on its property, cultivating forests and providing its stockholders and others with an agreeable resort, with a respectable hotel, cottage houses, stables, exercising grounds for horses, and anything necessary or proper for their accommodation.

SECTION 5. Every subscriber to the stock of the said corporation shall pay to the treasurer thereof for the time being the par value thereof, at such times and in such sums as the directors shall prescribe, and shall also pay such annual dues as they shall prescribe; which annual dues shall not, however, exceed seventy-five dollars, unless otherwise directed by a majority of the stockholders present at any annual meeting held on the second Tuesday of March.

Payment of subscriptions to stock.

Annual dues.

SECTION 6. The said corporation may, from time to time, purchase or acquire, by gift or otherwise, and hold lands in Pike and Monroe counties, in this state, not to exceed in all thirty thousand acres; and may lease, hire and use neighboring or adjoining lands or waters, or the right to fish, hunt, shoot or sport over neighboring or adjoining lands or waters, not to exceed in all, in addition to the lands owned by them, twenty thousand acres; such neighboring lands not to be more than ten miles distant from the lands of said association; and it may sell and convey or mortgage or lease any or all of its property, real or personal, from time to time, and may issue bonds for any sum not exceeding the amount of its capital stock, secured by a mortgage upon its property, real or personal, or any part thereof, and may give the bondholders the privileges of membership if it shall desire so to do.

May purchase lands in Pike and Monroe counties, lease adjoining lands, &c.

May sell property, issue bonds, &c.

SECTION 7. There shall be no personal responsibility for the debts or other liabilities of the said corporation on the part of any stockholder or officer thereof, but the whole and every part of the property of such corporation shall be liable for its debts, in the same manner and to the like intent as the property of private persons is now liable for their debts under the laws of this state.

Liability for debts, relative to.

SECTION 8. The board of directors may delegate their powers to an executive committee, to be chosen by the board, consisting of three of their number, one of whom shall be the president; which committee shall have all the powers of the board when the board is not in session.

Executive committee, relative to.

SECTION 9. The directors hereinbefore named shall, as soon as may be after the passage of this act, frame and pass such by-laws, rules and regulations, not inconsistent herewith, as they shall deem needful and proper, touching the management of the affairs of the corporation, the transfer of shares, the forfeiture of shares, in case of the non-payment of any installment that may be due thereon, or of any annual dues, the fines and penalties to be imposed upon members or persons to be licensed by the corporation, to shoot, fish or hunt upon its property, and upon its servants, for any infraction of its rules or regulations, and the penalties for non-payment of such fines; such fines never to exceed, however, the value of the shares of stock held by such member, or the price paid

By-laws, rules and regulations.

Fines and penalties on members, &c., limited.

- Game laws to prevail upon lands owned, &c. for his license, by a person holding a license; and such penalty not to exceed the forfeiture of such stock or license, except that, if such member or person licensed, or servant, shall, without permission of the corporation, offend against any of the other provisions of this act, he shall be liable to prosecution and punishment in the same manner as is herein provided in respect to other persons, the term of office, duties and conduct of its officers and servants, the game laws to prevail upon the lands and waters then owned or leased, or thereafter to be owned or leased by said corporation, and upon the lands or waters over which it may then have or may thereafter acquire the right to shoot, fish or hunt; and they shall elect a president, vice president and treasurer, from out of their number, an executive committee and such other officers as they shall deem proper; but none of these officers shall receive any salary prior to the first Tuesday of March, one thousand eight hundred and seventy-two; the meeting for the purpose aforesaid shall take place in the city of New York, and a notice, stating the place, day and hour of holding the meeting, shall be given to each of the directors hereinbefore named, either by delivering the same personally to him or by sending the same to him by mail, directed to his usual residence, at least five days before such meeting; a majority of the members of the board of directors shall constitute a quorum for the transaction of business, and they shall have power to adjourn from time to time, to such days and hours, and at such places as they shall deem proper; the president shall appoint a secretary and superintendent, who shall receive, respectively, such salaries as the board of directors may prescribe.
- Officers. Meeting of directors to elect officers. Quorum. Secretary and superintendent. Directors may meet monthly. SECTION 10. A meeting of the said directors may be held on the first Tuesday of each month thereafter, at twelve M., at such places as the directors shall select, until the first Tuesday of March, one thousand eight hundred and seventy-two, when the election of new directors shall be held as hereinbefore provided.
- By-laws, rules and regulations to govern corporation, &c. SECTION 11. The by-laws, rules and regulations so passed, as aforesaid, together with such changes, alterations or modifications, or repeals, as may be made thereafter, shall continue always to govern the said corporation, its officers, stockholders, employees and agents; and the same may be changed, altered, repealed or modified in such manner as may be provided by the by-laws.
- May issue licenses to hunt, make game laws, &c. SECTION 12. The corporation may issue licenses to any person or persons to hunt, fish, shoot or take game, or to be or go upon its property, or any part thereof, at such prices, and for such times, and under such regulations as may be prescribed by the by-laws; it may make its own game laws through its board of directors, and may add to, repeal or change the same from time to time; such game laws shall be applicable only to the land actually owned or leased by said corporation, or to the territory over which they have obtained the right to shoot, fish or hunt.
- On expulsion of members, their stock to be forfeited. SECTION 13. If any member shall, by reason of his infraction of the by-laws, be expelled from the corporation, his stock shall become the property of the corporation, and may be

disposed of for its best interests, as the directors may think proper.

SECTION 14. The taxes to be imposed upon the said corporation shall not exceed the rate imposed upon other wild or unseated lands in this state, and the value of any buildings which it may erect upon its property; both of which taxes shall be assessed in the same manner and at the same rate as other taxes are now assessed in this state.

Taxes upon corporation, relative to.

SECTION 15. The corporation shall have the right to select among its game-keepers, any number, not exceeding one for each one hundred acres owned or leased by it, who shall be provided by it with an appropriate and conspicuous badge, and who shall have all the right and authority of a deputy sheriff or a constable within the limits of the property owned or leased by the corporation, or in which the corporation hires or leases the right to shoot, fish or hunt; and shall also have the same power and authority within the limits of the county wherein its property or any part thereof shall be situated, in all matters touching the rights of the said corporation and trespassers upon its real property and interference with its game laws or other rules and regulations; and it shall be the duty of the sheriff of the county of Pike, (and of the county of Monroe, provided the corporation has or hires lands therein,) to deputise such game-keepers, not exceeding the number aforesaid, apportioned to the number of acres so owned or hired in each county, as deputy sheriff; their appointment to continue as long as they shall be employed by said association and no longer; such game-keepers, so appointed deputy sheriffs, shall be entitled to no fee or reward, except such as shall be paid them by the corporation; and the corporation shall pay to the sheriff of the county a fee of five dollars for each deputy sheriff so appointed.

Game-keepers, relative to.

SECTION 16. All persons are forbidden to enter in or upon, or to hunt, shoot or fish in or upon the lands or waters owned, hired or leased by said corporation, or over or upon which they shall have acquired the right to shoot, fish or hunt, on any part thereof, unless authorized to do so by said corporation; and any person who shall be found guilty of violating the provisions of this section shall be deemed guilty of a misdemeanor, and shall be fined not less than ten dollars, or not more than fifty dollars, in the discretion of the judge, court or magistrate before whom he shall be tried, for the first offence, and shall be fined not less than twenty dollars, and not more than one hundred dollars, for each additional offence; the provisions of this section, however, so far as they relate to lands or waters not belonging to said corporation, but over which they shall acquire the right to shoot, fish or hunt, shall not apply to the owners of such premises so far as their own lands or waters are concerned.

Persons forbidden to enter upon lands, &c., unless authorized.

Penalty for violating provisions of section.

SECTION 17. In addition to the penalties provided in the last section, the following penalties are imposed for the following offences:

Additional penalties.

First.—Any person who shall, without the permission of the corporation, enter in or upon any portion of the lands or waters which it owns or leases, or over which it has the right

Entering upon lands without permission.

to shoot, fish, hunt or to permit shooting, fishing or hunting: *Provided*, Such land or water is enclosed in a substantial fence, not less than six feet high: *And provided*, There are signs or placards near such fence, and not more than one-half mile apart, warning trespassers against entering, shall, upon conviction, forfeit the sum of twenty dollars for the first offence, and of forty dollars for each additional offence.

Hunting upon lands, &c.

Second.—Any person who shall, without permission as aforesaid, shoot, fish or hunt, or attempt to shoot, fish or hunt, upon the lands or waters owned by said corporation, or over which it shall have the right to shoot, fish or hunt, enclosed as aforesaid, or who shall attempt to shoot, fish or hunt therein, or shall be found therein with any line, rod, reel, net, gun or any implement, weapon, tool or engine, intended or used for the killing or taking of fish or game, shall, upon his first conviction thereof, forfeit the sum of thirty dollars, and upon every subsequent conviction the sum of sixty dollars.

Killing buffalo, elk or cariboo.

Third.—Any person who shall, without permission as aforesaid, kill any buffalo, elk, moose or cariboo upon the property owned by said corporation, or over which it shall have the right to shoot: *Provided*, There are signs or placards on the outside of said premises, not more than half a mile apart, warning trespassers against entering, shall forfeit the sum of three hundred dollars for each offence.

Killing deer, &c.

Fourth.—Any person who shall, without permission as aforesaid, kill any deer or four-footed other animal (except hares and rabbits, and other smaller animals) upon the property owned by said corporation, or over which it shall have the right to shoot, fish or hunt, having signs or placards as aforesaid, shall forfeit the sum of forty dollars for each offence.

Killing game birds of average weight of two pounds.

Fifth.—Any person who shall, without permission as aforesaid, kill any wild turkey or other game bird of a species of which the average weight, at full growth, is two pounds or upwards, upon the property owned by said corporation, or over which it shall have the right to shoot, fish or hunt, having signs or placards as aforesaid, shall forfeit the sum of ten dollars for each offence.

Killing game birds of less than two pounds average weight.

Sixth.—Any person who shall, without permission as aforesaid, kill any game bird of a species of which the average weight, at full growth, is less than two pounds, or any hare or rabbit, or other smaller animals, upon the property of said corporation, or over which it shall have the right to shoot, fish or hunt, having signs or placards as aforesaid, shall forfeit the sum of five dollars for each offence.

Catching fish.

Seventh.—Any person who shall, without permission as aforesaid, catch, kill or take fish upon the property owned by said corporation, or over which it shall have the right to fish, having signs or placards as aforesaid, shall forfeit the sum of two dollars for each fish, and, in addition, five dollars for each and every pound of fish so caught, killed or taken.

Injuring property or firing woods.

Eighth.—Any person who shall wilfully injure or destroy any fence, building, piscicultural works, horses, cattle or other property of the association, (other than game birds and animals as aforesaid,) or shall set fire to any woods owned by it, or upon property over which it has the right to shoot, hunt

or fish, shall, upon conviction, forfeit a sum not less than one hundred dollars, nor more than one thousand dollars, in the discretion of the tribunal before whom he or she shall be tried.

Ninth.—Any person who shall permit any dog belonging to him to be in or upon the property owned or leased by said corporation, or over which they have the right to shoot, fish or hunt, unless by the permission of said corporation, shall, upon conviction, forfeit the sum of twenty dollars; and any officer, agent or employee of the corporation may seize any dog found upon its premises, and detain it until the fine aforesaid shall be paid, or may destroy any dog so found thereon.

Permitting dogs to be upon property.

Tenth.—None of these penalties, however, shall apply to owners of the property over which the corporation shall have acquired the right to shoot, hunt or fish, unless the offence is committed outside of such property.

Penalties not to apply to owners of lands hired.

SECTION 18. The penalties hereinbefore provided are separate and distinct, and it shall be no defence to him who is convicted of one offence under this act, to plead or prove that he has been found guilty of another offence thereunder; every person charged with any of the offences aforesaid, may be tried before any justice of the peace, alderman, magistrate or other court having jurisdiction of criminal offences, within the county where the offence is committed, and upon conviction shall be fined to the extent aforesaid with costs, and shall be committed to the county jail of the county until his fine shall be paid; the time of such imprisonment, however, not to exceed one day for each dollar of fine unpaid; in case he or she pays the fine, one-half thereof shall be paid to the informer, and the balance to the treasurer of the county where the offence shall have been committed, to the use of the said county; and in all cases of prosecutions under this act, the party making the complaint, or the informer, shall be a competent witness on the trial.

Penalties separate and distinct.

Trial, &c., of offenders.

How fines to be appropriated.

Informers competent witnesses.

SECTION 19. The laws of this state relating to fish or wild animals shall not be applicable to any of the territory owned or hired by the said corporation, or over which it shall acquire the right to kill or take game or fish, except that any person not licensed or authorized by said corporation to take game or fish within the aforesaid boundaries, who shall take, shoot or hunt game, or catch fish within its boundaries contrary to the game laws of this state, shall be liable to the penalties provided by said laws, in addition to the penalties herein provided.

Laws of state relative to fish, &c., not applicable to territory owned or hired.

Exceptions.

SECTION 20. Nothing herein contained shall limit or abridge the right of said corporation to bring civil actions for any trespass upon or damage to its property, real or personal, or any part thereof; and the fact that the defendant in any such action is liable to the penalties aforesaid, or any of them, or has paid or incurred the same or any of them, shall be no defence in any such action; in any action for damages done to piscicultural works, to any fence, building or animal, or to any other property of this corporation, the damages shall not be confined to the actual value of the property injured or destroyed; but if such damage is wilful or malicious, triple

Actions for trespass or damages, relative to.

damages shall be awarded, and the jury may also award such punitive damages as they may deem proper.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 400.

A Further Supplement

To the act incorporating the Middle Creek Railroad Company, approved March twenty-third, Anno Domini one thousand eight hundred and sixty-five, and the supplement thereto, changing the name thereof to the Sunbury and Lewistown Railroad Company, approved seventeenth February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of said Sunbury and Lewistown Railroad Company be and they are hereby authorized and empowered to fix and locate the western terminus of said railroad at any point connecting with the Mifflin and Centre railroad, between Lewistown and Freedom Forge, or within the corporate limits of Lewistown; and said board of directors shall have the right to change the said terminus at any time hereafter, so as to connect with said Mifflin and Centre railroad, or with the Pennsylvania railroad on the west side of the Juniata river, at such point as may be deemed most advantageous for said company.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 401.

An Act

To enable the governor to issue a commission to William W. Jackson, as a justice of the peace for Gaysport borough, Blair county.

WHEREAS, At the spring election held in and for the borough of Gaysport, Blair county, in the year one thousand eight hundred and sixty-seven, Samuel Smith and William W. Jackson were elected to the offices of justices of the peace, but the said William W. Jackson failed to lift his commission within the time limited by law :

And whereas, The said Samuel Smith has lately died, and the said borough is left without a justice of the peace, and none can be elected before the election to be held on the second Tuesday of October next :

And whereas, The citizens of said borough now labor under great inconvenience for want of a justice of the peace, and it is their desire that the said William W. Jackson shall be commissioned as such ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and he is hereby authorized to issue a commission to William W. Jackson, as a justice of the peace for the borough of Gaysport, Blair county, for and during the term of five years from the date of his election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 402.

An Act

Extending the provisions of an act relating to coroners and coroner's fees in the county of Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of an act, approved the eighteenth day of March, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act relating to coroners and coroner's fees in the county of Westmoreland," be and the same are hereby extended to the county of Carbon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 403.

An Act

Relating to roads in Morris township and Independence township, in Washington county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, approved the fourteenth day of March, one thousand eight hundred and sixty—, relating to roads in Uwchlan township, in Chester county, and East Bethlehem and East Pike Run townships, in Washington county, be and the same are hereby extended to Morris and Independence, East Findley, Hopewell, Carroll and Fallowfield townships, in the county of Washington.

Provisions of certain act extended.

Certain persons appointed to carry out provisions of act.

SECTION 2. J. Miller Day, Isaac Connett and John C. French, for Morris township, and Joseph Scott, David Buchanan and James G. Hanna, for Independence; John Patton, Joseph Worm and Aaron Brawdy, for Carroll township; John Fitzpatrick, John Sawhill and James M'Neal, for East Findley, and James M'Kee, Calwell Smiley and James Hanna, for Hopewell, and Richard Richardson, Benjamin Crow and Dutton Shannon, for Fallowfield township, are hereby authorized and appointed, with full powers to carry out the provisions of this act, until after the next election for township officers within the said townships.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 404.

An Act

To authorize the Western Pennsylvania Railroad Company to sell and convey its railroad and appurtenances, property, real and personal, corporate right and franchises to the Pennsylvania Railroad Company, and to authorize the Pennsylvania Railroad Company to purchase the same, and to issue additional shares of its capital stock for that purpose.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be and may be lawful for the Western Pennsylvania Railroad Company, by deed, under its corporate seal, to grant, bargain, sell and convey unto the Pennsylvania Railroad Company, its successors and assigns, all and singular its railroad and appurtenances, property, real and personal, and corporate rights and franchises; and the said Pennsylvania Railroad Company is hereby authorized to purchase, hold and use the same as fully as the said Western Pennsylvania Railroad Company is by law empowered to do; and for the purpose of effecting such purchase the said Pennsylvania Railroad Company is hereby authorized to issue not exceeding twenty thousand additional shares of its capital stock: *Provided,* That nothing herein contained shall be construed to prejudice the rights of the stockholders of the Western Pennsylvania railroad.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 405.

A Supplement

To an act incorporating Schuylkill County Agricultural Society.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act granting the charter of the Schuylkill County Agricultural Society, approved the fourteenth day of April, one thousand eight hundred and fifty-one, be and the same is hereby extended for another period of twenty years; and that all property owned by said society shall be exempt from taxation, either for state, county, municipal or other purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 406.

An Act

To incorporate the Home for Aged Protestant Women.

Preamble.

WHEREAS, By an act, entitled "An Act to incorporate the Women's Christian Association of Pittsburg," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-eight, the association heretofore formed and known as the Christian Home for Women, and the Temporary Home for Destitute Women, were created and incorporated a body corporate, by the name and style of the Women's Christian Association of Pittsburg:

And whereas, Since the said act was passed another association, called and known as the Home for Aged Protestant Women, has been established by and under the supervision and control of the officers and members of the said Women's Christian Association, but having a distinct object and organization, and to which large subscriptions, as well as a bequest by James M'Auley, Esquire, have been made:

And whereas, It is deemed advisable that said association should be separately incorporated and should have separate and distinct powers, authority and management; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,*

Corporators.

That Mrs. Felix R. Brunot, Mrs. James Irwin, Mrs. Eliza Loomis, Mrs. Mary G. Thurston, Miss Jane Holmes, Mrs. W. P. Logan, Mrs. John Harper, Mrs. Samuel M'Kee, Mrs. B. L. Fahnestock, Mrs. Alexander Chambers, Mrs. Joseph Dilworth, Mrs. General Whitely, Mrs. William Shaw, Mrs. L. S. Johns, Mrs. Samuel Paisley, Mrs. John Watt, Mrs. J. Hubley, Mrs. Judge Mellon, Mrs. Dr. Dale, Mrs. W. S.

Haven, Mrs. R. H. Palmer, Miss L. Gordon, Mrs. Heath, Miss Smith, Mrs. George Jackson, Mrs. William M. Young, the present officers and managers of the said Home for Aged Protestant Women, together with others, members thereof, and their successors, be and are hereby created and constituted a body corporate in law, under the name and style of Name. the Home for Aged Protestant Women.

SECTION 2. The said corporation shall have power and authority to use a common seal and alter the same at pleasure, Powers and privileges. and shall be capable of suing and being sued, of impleading and being impleaded in all courts of record and elsewhere, of ordaining and establishing and enforcing all ordinances, regulations and by-laws necessary, convenient or proper for the conducting and governing its affairs; may purchase, take or receive donations, by will or otherwise, estates, real, personal and mixed, for the use, objects and benefits of the association and its institutions, with the right of selling, leasing, conveying and encumbering, by judgments or otherwise, for the use, benefits and objects of said institution; they shall also have power, by their board of managers, to contract for and erect all necessary buildings, and make such arrangements as they may deem necessary and convenient for the reception of inmates to the home, and to make and declare by-laws for the government of the home and all the officers or persons employed in or about the institution, and for the government of the inmates; they shall have power to appoint and to remove at pleasure all officers or employees deemed necessary, and fix their duties and compensation, and at pleasure to dismiss any of the inmates; they shall have power to appoint, by the board of managers or otherwise, as their by-laws may direct, all necessary committees of management, visitation, inspection or superintendence of their institution, and for the control and management of their finances: *Provided*, That the by-laws and ordinances shall not be inconsistent with the laws of the United States and the state of Pennsylvania.

SECTION 3. All the powers, privileges and authority, and all the rights and property, of whatever character or kind, which may belong to or are vested in the said association known as the Home for Aged Protestant Women, hereby incorporated, and which have heretofore been given, held or intended for or treated as belonging to the same, are hereby as fully and absolutely transferred to and vested in the said corporation, hereby created, as the same are now vested in said Women's Christian Association, and with like effect as if they had been originally given to and vested in this corporation. Property, &c. heretofore held by Home for Aged Protestant Women, vested in this corporation.

SECTION 4. All the estates and property of the corporation hereby created shall be free from taxation. Property free from taxation.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 407.

An Act

Authorizing the Odd Fellows and Masonic Building Association of Waynesburg, Greene county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the president and directors of the Odd Fellows and Masonic Building Association of Waynesburg, Greene county, Pennsylvania, to borrow any sum of money, not exceeding ten thousand dollars, upon the credit of the association, at such rate of interest as said president and directors shall deem proper, and issue bonds therefor, signed by the president and countersigned by the secretary; or in lieu of such bonds, it shall be lawful for the president of the said association to confess a judgment or grant a mortgage for any money so borrowed, and such judgment or mortgage, when entered or executed, shall be valid and effectual as a lien against the real estate of said association, and with the remedies provided by law for the collection of money secured by judgment or mortgage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 408.

An Act

To incorporate the Indiana Normal School of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Sutton, Harry White, A. M. Stewart, A. W. Taylor, Wm. M. Stewart, S. M. Clark, A. T. Morehead, Jr., Daniel S. Porter, Dr. Robert Barr, E. H. Wilson, Joseph Adair, John H. Devers, Dr. Thomas St. Clair, A. W. Wilson, David

Corporators.

Weamer, R. C. Calboun, Peter Sutton, W. B. Marshall, A. H. Apple, James Turner, W. R. Black, Noah Lohr; Abraham Moor, A. J. Bolar, John T. Gibson, E. P. Hildebrand, W. K. Allison, Dubrie Thomas, J. L. P. M'Allister, George J. Keller, Robert Young, J. R. Smith, R. M. Brikman, R. M. M'Cherney, A. R. Reeder, T. B. Allison, J. C. Johnson, Samuel Wolf, and such other persons as they may associate with themselves, are hereby created into a body politic and corporate, by the name and style of the Indiana Normal School of Pennsylvania, and by that name and title shall have perpetual succession, be able to sue and be sued, plead and be impleaded in all courts of law and equity, and to take, purchase, hold and receive, to them and their successors and assigns, lands, tenements, goods, chattels and sums of money, by gift, devise or otherwise, and the same to mortgage or grant and convey as the said corporation shall deem proper, and to make deeds, conveyances and contracts, to have and use a common seal, under and by which all deeds, contracts and acts of said corporation shall pass and be authenticated, and the same to alter and renew at pleasure, and generally to do all acts, matters and things necessary and proper for the management and well being of the corporation.

Name.
Powers and privileges.

SECTION 2. The object of this corporation shall be the establishment of a Normal school, at or near the borough of Indiana, Pennsylvania, in which shall be taught a course of study consisting of English branches, the natural sciences, the mathematics, ancient and modern languages, civil engineering, metaphysics, music, the science and art of teaching, and such other subjects as shall, with the assent of the board of trustees, be prescribed.

Object.

SECTION 3. The pecuniary affairs of the corporation shall be managed, and the general control, educational and otherwise, exercised by a board of trustees, fifteen in number, who shall be chosen by the stockholders on the first Tuesday in May of each and every year, and continue in office until the next stated meeting after the election of their successors; each stockholder shall be entitled to one vote for every share of stock held by them respectively.

Management of pecuniary affairs, &c.

SECTION 4. The officers of the board shall be a president, vice president and secretary, who shall be members of the board, a treasurer who shall not be a member of the board; these officers shall be elected annually by the trustees, at the first stated meeting after the election of such board; and the trustees shall appoint the professors, teachers and all agents necessary and proper to conduct the said normal school, and for that purpose they may adopt such regulations and by-laws for their government as they may consider salutary and advisable, not inconsistent with this charter and the constitution of the United States and Pennsylvania; and the professors and teachers shall have the care, government and instruction of the students, and with the advice and consent of the trustees, give diplomas and confer degrees.

Officers.

Professors, &c.

Regulations and by-laws.

Professors and teachers to have care of students, &c.

SECTION 5. That the capital stock may reach any value that can be lawfully secured, and shall consist of shares of

Capital stock.

May hold property free from taxation.

Trustees may borrow money and issue bonds.

twenty-five dollars each; and the corporation shall have the right to hold, free from taxation, state or municipal, such lots, parcels of town and personal property as may be needful and convenient for buildings and business of the school and residences for the professors; and the trustees shall have power to borrow money, not exceeding fifty per cent. of the value of the property of the corporation, and to issue bonds therefor, with or without coupons, which shall be exempt from all taxation, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 409.

An Act

To prevent the destruction of fish in Brandywine creek and its tributaries, in the counties of Chester and Delaware, and in the river Schuylkill, in Chester and Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person or persons, within the counties of Chester and Delaware, to catch or take any fish in Brandywine creek, the East and West Branch of White Clay creek, its tributaries, or within the counties of Chester and Montgomery, to catch or take any fish in the Schuylkill river or its tributaries, by means of any seine or seines, net or nets, trap or traps, set line or set lines, or lay out lines, except eel wiers, and except bait fish, to be used in angling.

Fishing with nets, &c., prohibited

Penalty for violating provisions of act

SECTION 2. That any person or persons violating the provisions of this act shall forfeit and pay the sum of twenty dollars and costs of suit, for every such offence, to be recoverable before a justice of the peace, by an action of debt, in the name of the commonwealth, as debts are now by law recoverable, one-half for the use of the informer, who shall be a competent witness, and one-half to be paid into the treasury of the county in which the offence is committed: *Provided,* That any person or persons so offending, on conviction thereof, as aforesaid, and failing to pay said fine imposed and the costs,

then such person or persons shall undergo an imprisonment in the county jail for five days.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 410.

An Act

To incorporate the Big Spring Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That M. B. Boyd, P. A. Ahl, R. M. Hays, C. Mellinger, Robt. Commissioners. Montgomery, D. B. Fulton and John S. Hays, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company, by the name and style and title of the Big Spring Turnpike Road Title. Company, with all the power to construct a turnpike road from Newville to Stoughstown, in the county of Cumberland, subject to all the provisions and restrictions of the act regu- Subject to. lating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall Capital stock. consist of twenty thousand shares, of fifty dollars each: *Provided*, That the said company may have the privilege, from time to time, by a majority of the stockholders voting at a meeting called for that purpose, to increase the capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act: *Provided further*, That said company shall have power to borrow money, at any May borrow money and issue bonds therefor. rate of interest not exceeding eight per centum per annum, and issue bonds therefor, for the purpose of completing the road and franchises; said bonds in no case to be of less amount than fifty dollars, with semi-annual coupons attached, redeemable ten years from date.

SECTION 3. That it shall be lawful for said company to make May use county bridges, &c. use of any county or township bridge on the line of the route of the said road, or of any public road or part thereof, or any street on the line thereof.

Commence-
ment of road.

When gates
may be erected
and tolls col-
lected.

Tolls on teams
laden with iron
ore.

Liability for
damages.

Penalty on
teamsters and
others for mak-
ing false returns

Toll-gatherers
and tolls.

When road to be
commenced
and completed.

SECTION 4. That said company may commence their road at any intermediate point; and whenever said company have finished two contiguous miles or more of said road, they shall have power to erect gates wherever they shall see proper and collect tolls thereon: *Provided*, That it shall be lawful for said company to charge and collect from all teams passing over said road laden with iron ore, two cents per mile for each and every ton or fractional part of a ton contained in each load; and the said company shall not be held liable for any damages sustained by teams laden with more than four tons burthen, in consequence of the giving away of any culvert, bridge or embankment of said road.

SECTION 5. That if any carter or teamster, or other person, hauling iron ore over said road, shall make a false or fraudulent return of the weight of his load or loads, with intent to defraud the company of its lawful toll, such person or persons shall be liable to a fine of five dollars for every such offence; and that for any violation of this act the owner or owners, as well as the driver or drivers, of any team, cart, wagon or other vehicle shall be liable, and may be sued, jointly or severally, for the penalty or penalties imposed by this act, may be recovered by the said Big Spring Turnpike Company before any alderman, justice of the peace in the county in which the offence is committed, with costs of suit.

SECTION 6. That said company shall appoint such and so many toll-gatherers as they shall think proper to collect and receive of and from all and any person using said road, the tolls and rates as are provided by the act regulating turnpike and plank road companies, approved twenty-sixth January, one thousand eight hundred and forty-nine, and the supplements thereto belonging, except that no tolls shall be demanded from funeral processions and persons passing and re-passing from one part of his, her or their farm to any other part of the same.

SECTION 7. That if said company shall not commence the construction of said road within two years, and finish the same within two years thereafter, this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 411.

An Act

To annul the marriage contract between Enoch Fowler and Mary Magdaline, his wife.

WHEREAS, Enoch Fowler, of Beaver county, Pennsylvania, has presented his petition to the senate and house of representatives of the commonwealth of Pennsylvania, for a divorce from his wife, Mary M.:

And whereas, The reasons set forth in said petition are sufficient to entitle him to said divorce, and the courts of this commonwealth have not jurisdiction to decree divorces in such cases; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Enoch Fowler, of Beaver county, Pennsylvania, and Mary M., his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom, as fully as if they had never been joined in marriage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 412.

An Act

To increase the capital stock of the Lancaster Gas Company, and to authorize the treasurer thereof to witness the transfer of stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the managers of the Lancaster Gas Company are hereby authorized, either at once or from time to time, as they shall deem expedient, to cause to be added to the capital stock of

Managers authorized to increase capital stock.

the said company such amount as they may deem necessary, not amounting to more than fifty thousand dollars, so as to make the whole amount of the capital stock one hundred and fifty thousand dollars; and for the purpose of realizing the amount which they may resolve shall be added to the said stock, the said managers are hereby authorized to grant additional shares of stock to meet such increase and to issue certificates for the same.

Treasurer authorized to witness transfer of stock.

SECTION 2. The treasurer of said company, as well as the president and secretary, is hereby authorized to witness the transfer of all shares of stock that shall hereafter be transferred on the books of said company, and that all transfers heretofore witnessed by him shall be considered valid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 413.

An Act

To make legal and valid the capital stock of the Ligonier Valley Railroad Company, although five dollars were not paid at the time the subscription was made.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all subscriptions heretofore taken, or hereafter to be taken, to the capital stock of the Ligonier Valley Railroad Company, are hereby deemed and declared valid and binding, notwithstanding there were not paid five dollars on each share subscribed at the time of subscription, as required by the general act of assembly, approved nineteenth February, Anno Domini one thousand eight hundred and forty-nine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 414.

An Act

Relating to the American Construction Company, incorporated the twenty-fifth day of January, one thousand eight hundred and seventy-one, extending the powers of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of directors and the times of holding the annual meetings of the American Construction Company may be fixed by the by-laws of said company; and said company shall have perpetual succession, and shall have all the rights, powers and privileges which are set forth and granted in and by an act to incorporate the Philadelphia Telegraph Company, approved February tenth, one thousand eight hundred and seventy, and the several supplements thereto; and upon the filing of a certificate in the office of the secretary of the commonwealth may change the corporate name of said company.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 415.

An Act

To repeal an act, entitled "An Act to annex the farms of Nelson Pilgrim and John Lee, of Eaton township, to the township of Northmoreland, Wyoming county, for school purposes," approved the fourth day of April, one thousand eight hundred and sixty-four, so far as said act relates to the farm of John Lee.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to annex the farms of Nelson Pilgrim and John Lee, of Eaton township, to the township of Northmoreland, Wyoming county, for school purposes," ap-

proved the fourth day of April, Anno Domini one thousand eight hundred and sixty-four, be and the same is hereby repealed, so far as the same relates to the farm of John Lee; and said Lee's farm is hereby re-annexed to the township of Eaton, for school purposes, where it originally belonged.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 416.

An Act

To incorporate the Pittsburg Steel Casting Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Sears M. Loveridge, Samuel M. Brown, William Reed, A. C. Patterson and J. M. Stoner, and such other persons as they shall associate with them, and their successors or assigns, be and they are hereby created a body politic and corporate from the passage of this act, under the name and style of the Pittsburg Steel Casting Company.

Name.

Powers and privileges.

SECTION 2. The said corporation shall have the power to carry on the business of manufacturing and selling of all descriptions of metallic castings, and for this purpose to purchase and hold the patents of William Hainsworth, or his assignees, and any other patents it may acquire, pursuant to the prosecution of the said business, and to grant licenses or rights to others to manufacture or sell under the said patents, or any of them, to purchase, acquire, hold, grant and sell property, real, personal or mixed, execute mortgages and erect buildings so far as the same may be necessary to carry out the objects of this act and facilitate the pursuit of the said business, to hold and use a common seal, and the same to alter or change at pleasure, to sue and be sued, plead and be impleaded in any court of this commonwealth or elsewhere, and to make all needful rules and regulations and by-laws necessary for the good government and management of the said corporation, not repugnant to the constitution and laws of this commonwealth or of the United States.

Capital stock.

SECTION 3. The capital stock of the said corporation shall consist of one hundred thousand dollars, with the right to in-

crease the same to five hundred thousand dollars, in shares of fifty (\$50) dollars each, to be called in from time to time as the same may be needed; and the said corporation shall have the right to receive lands, tenements, buildings, machinery, patent rights and other effects, for the purposes of said corporation, in payment of the said stock, at a valuation to be fixed by the directors of the said corporation; and the said shares shall be transferable on the books of the said corporation.

May receive lands, &c., in payment of stock.

Shares transferable.

SECTION 4. The number, titles and functions of the officers of the said corporation, their terms of office, the period of election, the qualification of electors, the manner and ratio of voting, and the meetings of the said corporation, may be determined by its by-laws.

Number of officers, terms of office, &c., may be determined by by-laws.

SECTION 5. The said corporation shall have power to borrow money and create indebtedness for the prosecution of its business, in such way and manner as the board of directors may determine.

May borrow money and create indebtedness.

SECTION 6. The said corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized as paid in, and on any increase thereof, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of the company shall be individually liable for all debts due mechanics, laborers and workmen employed by the said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna Coal and Iron Company, approved April fifth, Anno Domini one thousand eight hundred and fifty-three: *Provided*, That no stockholder shall be held individually liable for any such debts unless the same shall have been sued for within six months after the time they become due.

Bonus and taxes on dividends.

Individual liability.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 417.

An Act

To incorporate the Ruby Silver Mining Company of Colorado.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That C. F. Dwyer, J. W. Norton and D. G. Gordon, and their associates, successors and assigns, or any two of them, be and they are hereby created a body politic, by the name, style and title of the Ruby Silver Mining Company of Colorado, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of receiving and granting in its corporate name, property, real, personal and mixed, and of holding and improving lands in any state or territory of the United States, except in the state of Pennsylvania, and to obtain therefrom any and all minerals and other valuable substances, whether by working or opening, leasing or disposing of privileges to work or mine or sell such lands, or any part thereof, and to erect houses or such other buildings or works as may properly appertain to said business, and to use, let, lease, sell or work the same, and to dispose of the products of all such lands, mines and works as they may deem proper.

By-laws. SECTION 2. That the said company shall have authority to make such by-laws as they may deem proper, and the same to alter, amend, add to or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution and laws of this commonwealth, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock and bonds, representing the value of their property, in such forms and subject to such regulations as they may, from time to time, by their by-laws prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed.

Directors. SECTION 3. That the corporators named in this act shall elect persons to serve as directors, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws.

Offices. SECTION 4. That it shall be lawful for the said company to establish the necessary offices for the transaction of business of the company, wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company.

Change of name, relative to. SECTION 5. That the stockholders of said company be and they are hereby authorized to change the name and title of the company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the secretary, under the seal of said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 418.

An Act

Supplemental to an act, entitled "An Act to incorporate the Cowanesque Valley railroad," approved the ninth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joel Parkhurst, Benjamin Dorrance, George H. Baxter, John Parkhurst and Philip Tubbs be and the same are hereby appointed commissioners, with the powers and duties described in said act of which this is a supplement. Commissioners appointed.

SECTION 2. That the capital stock of said company shall be two hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars. Capital stock.

SECTION 3. That said company may connect with any lateral road at the New York state line, in said route. Connections.

SECTION 4. That any corporation may have the right to subscribe to the capital stock of said company. Subscriptions to stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 419.

An Act

Supplementary to an act to incorporate the Pittsburg, Allegheny and Manchester Passenger Railway Company, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the company incorporated by the act to which this is a

supplement, be and they are hereby authorized to extend their road, in the city of Allegheny, at the intersection of Western and Allegheny avenues, from Western avenue north along Allegheny avenue to Franklin street, along Franklin street to Market street, and along Market street to its present northern terminus; and for the purpose of so extending their road, the said company shall have the right and power to lay out and construct, along and over the above streets named, a single or double track railway, with the necessary turnouts and switches, the same as if the routes as set forth had been contained in their original charter: *Provided*, That the above named streets shall not be used or occupied by the said company without first obtaining the consent of the councils of the city of Allegheny thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 420.

An Act

To incorporate the Berks County Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That John M'Manus, Isaac M'Hose, Isaac Eckert, David M'Knight, Samuel C. Mayer, George Brooke, Hiester Clymer, Henry Bushong, Frederick Lauer, Edward M. Clymer, Charles Huston, Charles E. Pennock, Edward Betts, Abraham Gibbons, Evan C. Stotsenburg, Joseph L. Pennock, L. B. Worth, Irenie Du Pont and Hugh E. Steele, or any five of them, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company, by the name, style and title of the Berks County Railroad Company, with power to construct a railroad from a point on the Wilmington and Reading railroad, at or near Birdsboro', in Berks county, by the most available route, to and through the city of Reading, and thence connect with any railroad or railroads now built in the county of Lehigh; and the said railroad shall be entitled to all the privileges, and be subject to all the pro-

Title.

Construction of
railroad author-
ized.

Subject to.

visions and restrictions prescribed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of four thousand shares, of fifty dollars each: *Provided*, That the said company may, from time to time, by a vote of the stockholders, or otherwise, as hereinafter provided, increase their capital stock to an amount sufficient to complete said road, and to carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That said railroad company is hereby authorized to construct branches or lateral railroads, not exceeding twelve miles in length, to any mines, quarries or manufactories, or to connect with any other railroads in the counties of Berks and Lehigh; to project and construct additional tracks, siding, turnouts, depots, water stations, engine houses, shop, offices, telegraph wires and all necessary buildings, houses, shops and offices, together with platforms and schutes for loading and unloading ores and minerals; and whenever the said company shall enter upon lands, for the purposes aforesaid, they shall stake off and designate the boundaries of the same, and make an accurate survey and draft thereof, upon which shall be based all legal proceedings for the recovery or adjustment of damages. May construct branches, erect telegraph wires, &c.

SECTION 4. That the president and directors of said company shall have the power to borrow money, from time to time, in such sums and at such rates of interest as they may think proper, for the construction of said railroad and the procuring of the rolling stock therefor, and to pledge the said road, rolling stock and franchises, or any part thereof, for the payment thereof: *Provided*, That said company shall not issue bonds for a less denomination than one hundred dollars; and the said bonds may be convertible into capital stock of said company, at the option of the holder thereof, or otherwise, as the said president and directors may elect. To stake off boundaries, &c., when entering upon lands.

SECTION 5. That in all cases where said company and the owners of land and materials cannot agree upon the amount of damages claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay, or cause to be paid, such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed according to law: *Provided*, In case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may, in such cases, present their bond or bonds to the court of common pleas of the proper county, or any one of the judges thereof; and if the said court, or any of the judges thereof approve the security, they shall direct the said bond or bonds to be filed in the prothonotary's office of said court, for the benefit of those interested; whereupon the said company may enter upon or take possession of such land or materials. President and directors may borrow money and pledge property for payment of same.

SECTION 6. That in all cases in which the owners of lands and materials are minors, lunatics or habitual drunkards, it Proviso.

Proceedings in cases of disagreement as to damages.

Proceedings shall and may be lawful for the guardian or committee of
 where owners of such owners, and the said company, amicably to adjust the
 lands and mate- amount of damages to be paid, if they can agree; and on pay-
 rial are minors, ment of the amount, it shall be lawful for such guardians or
 &c. committees to release said company from all claims therefor,
 and to execute all necessary papers in the premises; in case
 the said parties cannot agree, the said company may proceed
 as is provided for in the fifth section of this act.

Directors. SECTION 7. That the number of directors shall be eight;
 and the president and four or five of the directors of said
 company shall constitute a quorum to do business.

When road to SECTION 8. That said Berks County Railroad Company
 be completed. shall complete their road, so far as to make it ready for run-
 ning order, in five years from the first day of July, Anno
 Domini one thousand eight hundred and seventy-four: *Pro-
 vided*, That the right to construct branches, additional tracks,
 sidings, turnouts, depots, water stations, engine houses, shops,
 offices, telegraph wires, and all necessary buildings, houses,
 shops and offices, together with platforms and schutes for
 loading and unloading ores and minerals, as provided in the
 third section of this act, shall not terminate with such com-
 pletion, but shall continue as corporate powers of said cor-
 poration.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini
 one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 421.

An Act

Authorizing and empowering the Rock Presbyterian Church, in Cecil
 county, and state of Maryland, to hold, occupy and convey a cer-
 tain tract of land in Chester county and state of Pennsylvania.

WHEREAS, Certain persons, inhabitants of Cecil county,
 and state of Maryland, associated themselves together for
 the purpose of religious worship, and were by the laws of the
 state of Maryland duly incorporated and invested with the
 powers and privileges of a body politic, on or about the first
 day of December, Anno Domini eighteen hundred and three,
 under the name of the Rock Presbyterian Church:

And whereas, The said congregation for many years pre-
 vious to the time of their incorporation, as aforesaid, owned

and possessed two certain tracts or pieces of land, situate in the county and state aforesaid :

And whereas, One of said tracts of land, containing about two acres, was, by the last adjustment of Mason and Dixon's line, cut off from the county of Cecil aforesaid, and annexed to the county of Chester, in the state of Pennsylvania :

And whereas, The said Rock Presbyterian Church being a foreign corporation, cannot by the laws of this commonwealth exercise any ownership or control over said premises, now lying within the limits of the county of Chester aforesaid ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Rock Presbyterian Church, by its board of trustees, or other duly constituted and lawful representatives, shall have power, and the same are hereby duly authorized, and fully empowered, to enter upon said tract of land, containing about two acres, and situated in the county of Chester, as aforesaid, and shall hold, occupy and enjoy the same as fully and effectually as if said church or congregation had been incorporated by the laws of this commonwealth, and shall also have power to grant, bargain and sell the same, or any part or parcel thereof, at their option, or at the option of their successors in office, and make good and valid deed or deeds for the same ; anything contained in any act of assembly of this commonwealth to the contrary thereof notwithstanding.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 422.

An Act

To incorporate the People's Bank of Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That J. Daniel Wanner, Lewis K. Hottenstein, Daniel Dietrich, Adam Stein, Dr. C. A. Gerasch, S. S. Schneehl, Llewellyn Wanner, Charles Birch, Edwin Shalter, B. Frank Boyer, F. Corporators

- B. Laucks and William B. Albright, and their associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the People's Bank of Berks county, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal and alter or renew the same, and may have the right to purchase, have, hold and enjoy real estate and improve or dispose of the same; also to receive and hold goods and chattels of whatsoever kind, and choses in action, and the same to sell and dispose of, from time to time, at pleasure.
- SECTION 2.** The capital stock of said bank shall not be less than fifty thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing the said stock, from time to time, by a vote of the directors, to an amount not exceeding two hundred and fifty thousand dollars, of like value per share; and there shall be paid into the treasury of said corporation, by each subscriber to the said stock, at the time of subscribing, an instalment of twenty-five dollars on each share of stock by him or them so subscribed, and the remaining sum due on each share shall be paid in such instalments and at such times as the financial condition of the corporation shall require, to enable it to liquidate all claims or demands upon the treasury for losses or expenses; such instalments to be equally assessed on all stocks so subscribed for, and all such instalments to be paid within thirty days after notice of the same by the directors.
- SECTION 3.** The said bank may receive money on deposit, and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estate, real, personal or mixed, including the notes, bonds or obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity.
- SECTION 4.** All the corporate powers of said corporation shall be exercised by a board of directors, and said board of directors shall consist of seven persons, to be elected from among the stockholders; the said board shall annually elect from among their number a president, secretary and treasurer, who shall continue in office for one year or until their successors shall have been duly elected.
- SECTION 5.** The board of directors shall have power to declare and pay dividends out of the earnings of the said bank to the stockholders, at such times and in such amount as to them may seem proper.
- SECTION 6.** The business of the said corporation shall be carried on at such place in the county of Berks as the directors shall direct; and the first meeting of this corporation shall be as soon as practicable after the passage of this act, at which time seven directors shall be elected, by ballot, to
- Name.
Powers and privileges.
- Capital stock.
- Payment of subscriptions to stock.
- Banking privileges.
- Directors.
- President, secretary and treasurer.
- Dividends.
- Where business to be carried on.
- First meeting of corporation.

serve until the time fixed for the regular annual election or until others are elected in their places; and the said directors shall have power to elect all officers, agents or clerks they may deem necessary for conducting the business of the bank and fix the salaries of the same.

SECTION 7. The board of directors shall make all by-laws By-laws. necessary for conducting properly the business of the bank, not inconsistent with the laws of the state or United States, and shall have power to fill any vacancies in their body, oc- Vacancies. casioned by death, resignation, removal, refusal or inability to serve; the election for directors shall be held on the second Annual election Tuesday of January of each year, unless changed by the by- for directors. laws of the bank, and at such place as the directors may designate, of which time and place the secretary of the board shall give notice by publication; the stockholders shall be entitled to one vote for each share of stock, and absent stockholders Votes. may be represented by proxy.

SECTION 8. No person shall be eligible to the office of di- Eligibility to rector, president or cashier of said bank who does not hold office of direc- at least five shares of capital stock. tors, &c.

SECTION 9. That the charter for said bank shall continue Limitation. for twenty years, and the legislature hereby reserving the Reservation. power to alter, revoke or annul the same, whenever in their opinion it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators.

SECTION 10. That before letters patent shall issue by the What required governor, two of the corporators shall make oath that fifty before letters per cent. of the capital stock has been paid in. patent to issue.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 423.

An Act

To authorize the auditor general to examine the claim of William B. Harlan.

WHEREAS, William B. Harlan, late of Eighth Pennsylvania cavalry, expended his own means in recruiting a company thereof, and incurred unusual expense and suffering by reason of his services performed in connection with the same,

and hath received no compensation therefor, as appears by his papers and sworn affidavits :

And whereas, Said William B. Harlan faithfully performed his duty during the whole of the war, and by reason of internal injuries received from hard service, is incapacitated from hard labor ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general be and he is hereby authorized and directed to examine the claim of William B. Harlan, for money expended in recruiting troops in eighteen hundred and sixty-one, and for expenses and moneys paid out during his illness, consequent upon the service then being performed by him ; and if the same shall be found to be correct, and the said William B. Harlan hath received no compensation therefor, then to draw his warrant upon the state treasury in favor of said William B. Harlan for the amount thereof, not exceeding seven hundred and fifty dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 424.

An Act

To incorporate the New Castle Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That D. H. Wallace, E. J. Agnew, William C. Harbison, E. S. N. Morgan, George V. Boyles, John W. Wallace, M. P. Barker, James F. Scott and A. B. White, or any five of them, be and they are hereby appointed commissioners to open books and sell stock, in accordance with the provisions of the general railroad law, and organize a company, by the name, style and title of the New Castle Passenger Railway Company ; said company shall have the power to lay out and construct a railway, with double or single track, commencing at or near the junction of Washington and East streets, in said city of New Castle ; thence west along said Washington street, to a point at or near the depot of the New Castle and

Commissioners.

Title.

Route.

Beaver Valley Railroad Company, with the exclusive right to lay out and construct branches to connect with the main line of said passenger railway, by single or double tracks, through or along any of the streets, avenues, roads or ways which are now laid out or may hereafter be laid out in said city, and to extend the same into or through Union and Taylor townships, at such times as the company may determine that the convenience of the public requires such extension or extensions, with the privilege of crossing at grade any of the bridges that are now built or may hereafter be built in said city or the adjoining townships, and to make such turnouts, connections and sidings as may be necessary for the prosecution of the business of the company.

Branches.

Extension of road.

May cross bridges.

Turn-outs, connections, &c.

SECTION 2. The capital stock of said company shall consist of five hundred shares, of fifty dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting convened for the purpose, increase their capital stock as much as may be necessary to complete said railway or its branches, and to carry out the true intent and meaning of this act; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase, upon the payment of the par value of the same; said right to be forfeited if not availed of within ten days of the time fixed for subscription by public notices.

Capital stock.

Right of stockholders in case capital stock is increased.

SECTION 3. The said company shall have the right to commence the construction of their railway as soon as two thousand five hundred dollars shall have been paid into the treasury thereof by the stockholders.

Commencement of construction.

SECTION 4. Said company shall have power to elect by ballot five directors to manage the business of said company, a majority of whom shall be citizens of the city of New Castle; and in every such election each share of stock shall entitle the holder to one vote; said directors shall elect one of their number president, and appoint such other officers as they may deem necessary or expedient.

Election of directors.

Officers.

SECTION 5. That said railway company shall have the right to cross at grade any railroad that is now or may hereafter be built within the limits of the city of New Castle or the adjoining township; and in case it shall be found necessary or expedient to cross the canal with any of the extensions or branches, at a point where there is no bridge constructed over the same, said company shall have the right to construct a bridge, and cross the same by single or double track, in such manner as not to interfere with the navigation of said canal.

May cross other railroads at grade.

May construct bridge over canal.

SECTION 6. That said company in constructing said road shall conform to the grades now established or hereafter to be established by law, of the several streets or avenues traversed by said road, and keep such portion of the said streets and avenues as shall lie between the rails of the track, in perpetual good repair, at the proper expense of said company, any law or usage to the contrary notwithstanding: *Provided*, That the said company shall pay to the city of New Castle a tax of six per centum per annum upon so much of any dividend as shall exceed six per centum per annum on the capital stock

To conform to established grades, &c.

Tax to city.

License for cars run.

in any one year, to be paid to said city at the end of each year: *And provided further*, That the capital stock of said company shall not be subject to any further or other assessments for taxes by said city, except a license of five dollars per annum for each car run by said company in or through said city.

Penalty for injuring property of company, &c.

SECTION 7. That if any person or persons shall wilfully break, remove, destroy or injure any part of said railway or cars, carriages, station houses or other buildings or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over said railway, or any part thereof, the person or persons so offending shall forfeit and pay for every such offence the sum of ten dollars, to be paid into the city treasury; all such suits shall be in the name of the commonwealth of Pennsylvania, for the use of the city of New Castle; and the person or persons so offending shall be and remain liable, in addition to said penalty, to action or actions at suit of said railway company, for any loss or damage occasioned by his, her or their acts, as aforesaid.

May raise moneys on bonds.

SECTION 8. That said company shall have power to raise, on bonds, any sum not exceeding one-half of their capital stock, for the purpose of carrying out the true intent of this act: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each.

Transfer of shares of stock.

SECTION 9. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and if any stockholder shall omit for the space of six months to pay any instalment which may have been called for, the managers of the company may either declare the share or shares of stock on which the instalment or instalments are unpaid as aforesaid to be forfeited, or may at their option bring suit to recover the instalment or instalments, with interest at the rate of twelve per centum per annum, as debts of like amount are recoverable, against the person or persons appearing by their books to be the owner or owners thereof.

Dividends.

SECTION 10. The dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July of each year, and be paid at the office of the company any time after ten days' notice from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be thereby impaired.

Seal, by-laws, &c.

SECTION 11. Said company shall make and have a common seal, the same to alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to

do for the well-being of said corporation and the due ordering and managing the affairs thereof.

SECTION 12. That the said company shall have the right to purchase real estate and erect thereon such buildings as may be deemed expedient and necessary for the purpose of said company, and also to purchase the necessary equipment for the said road: *Provided*, That whenever any damage may be sustained by reason of this company taking possession of lands other than above described, except so far as the usufruct of such of the before-named streets necessary to the full and perfect enjoyment of the purpose by this act designed, the said damages shall be assessed and paid in the manner and according to the provisions of the eleventh section of the act of nineteenth of February, Anno Domini one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," and the several supplements thereto: *And provided further*, That before the said company shall use and occupy said streets, the consent of the councils of the city of New Castle shall be first obtained; and said council may from time to time by ordinance establish such regulations in regard to said railway as may be required for the paving, repairing, grading, culverting and the laying of gas and water-pipes in and along said streets, and to prevent obstructions thereon: *Provided*, That nothing herein contained shall authorize the erection of any railroad other than the passenger railroad hereinbefore described, nor shall anything herein contained interfere with the erection of any railroad now authorized or that may hereafter be authorized by law to be built: *And provided*, That the council of said city shall prescribe the width of track and kind of rail to be used in the construction of said passenger railroad: *And provided also*, That the said company shall commence to build said passenger railroad within two years after the approval of this act, and shall complete the road on Washington street within five years from the approval of this act.

Real estate,
buildings, &c.

Damages.

Consent of
councils to be
obtained before
using streets.

Council may es-
tablish regula-
tions relative to
railway.

Act not to au-
thorize con-
struction of
other than pas-
senger railway,
&c.

Council to pre-
scribe width of
track, &c.

Commence-
ment and com-
pletion.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 425.

An Act

Relating to the fees, salaries and duties of certain county officers in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all fees limited and appointed by law to be received by the district attorney, the sheriff, the coroner, the prothonotary of the court of common pleas and of the district court, the clerk of the orphans' court, the clerk of the court of oyer and terminer and general jail delivery, and court of quarter sessions of the peace, the recorder of deeds and the register of wills, elected by the qualified voters of the county of Allegheny, or either of them, or which they shall legally be authorized, required or entitled to charge or receive, shall belong to the county of Allegheny; and it shall be the duty of each of said officers to exact, collect and receive all such fees to and for the use of the county of Allegheny; and said officers shall not receive for their own use, or for any use or purpose whatever, except for the use of the county of Allegheny, any fees for any official services whatsoever.

SECTION 2. Each of the officers named in this act shall keep a special account book, or book of forms, to be prescribed by the county controller, in which an entry shall be made of all the moneys received for fees and of all moneys earned and chargeable upon the county, specifying the day and date, the title of the case, if any, for what service and from whom received, and on the first Monday of each and every month after this act shall take effect, shall pay into the county treasury all fees so received during the preceding month, taking duplicate receipts therefor, one of which he shall deposit with the county controller, together with a transcript in detail of his fee account book or books for the preceding month, to which he shall make oath or affirmation before the county controller, that the said transcript contains a true and correct list of all the fees received, and of all the fees earned, which are chargeable upon the county for services rendered in his office, either by himself, deputies or clerks during the preceding month, that said fees were charged and collected at regular rates, and that he has not received and is not to receive from any person or persons whatsoever, for any official services or duty, any other fees than those so entered on said transcript; and it shall be the duty of the county controller to file said receipt and transcript in his office, and to charge the county treasurer with the money for fees so paid in: *Provided*, That the sheriff and coroner shall be authorized to receive and retain for their own use the mileage allowed by law, in all cases where mileage is chargeable: *And*

Fees received by certain officers to belong to county.

Officers to keep account of fees received.

To pay same into treasury monthly and take receipts therefor.

To deposit with controller receipt, together with transcript of fee account book.

To make affidavit as to correctness of transcript, &c.

Sheriff and coroner may retain mileage.

provided further, That where fees are paid to one office, which are for service rendered or to be rendered by another, the officer receiving the same shall specify the same on his account book, and on his transcript, as of the office to which they properly belong.

Duty of officer receiving fees for services rendered by another

SECTION 3. That the notice required to be given by the sheriff of said county of all judicial sales by him to be made, shall be by printed hand-bills, fully describing the property to be sold according to the levy, with its improvements, one of which shall be posted in a conspicuous place in his office, and one on or near the property to be sold, and also by advertisements published three times before the day of sale, once in each consecutive week in one daily English and in one daily German newspaper, printed in the city of Pittsburg, designating briefly the locality and quantity of the property to be sold, the name of owner, on what writ, the time when and the place where it is to be sold; and such advertisement and publication shall be deemed proper and sufficient and to have the force and effect of such as are now required by law in like cases; and before a warrant can be drawn on the county treasurer in favor of the proprietor or proprietors of any newspaper to whom the sheriff or any other officer herein named shall give out the printing and publication of sheriff sales, advertisements and legal notices, he or they must file with the controller of said county a sworn itemized bill or statement of the printing and advertising aforesaid, and that the charges therefor do not exceed the usual and ordinary rates for advertising such notices, which bill shall be approved by said controller, and paid by the said treasurer, on proper warrant.

How notice of sales by sheriff to be given.

Persons publishing legal notices to file with controller sworn itemized bills.

Controller to approve bills and treasurer to pay same.

SECTION 4. That whenever the tax due the state on any writs or legal proceeding, or the state's proportion of the fees received shall be ascertained and audited, in accordance with law, said tax and fees shall be paid by warrant on the county treasury.

How tax due state on writs, &c., to be paid.

SECTION 5. If any of the officers named in this act shall receive or stipulate to receive from any of the deputies or clerks appointed by them, or from any person or persons awarded any contract for advertising or any other contract, any sum or sums of money as percentage on the salaries of said deputies or clerks, or on the amounts or profits of said contracts, or any sum or sums of money whatsoever, as compensation for making any of said appointments or contracts, or shall neglect to render the accounts or to pay over the money received for fees, as required by this act, or shall wilfully neglect to make any proper entry in the book or books required to be kept, or shall wilfully neglect to charge for any official services the fees allowed by law, or shall take to his own use any such fees, or fail to comply with any of the provisions of this act, or neglect to discharge any of the duties herein imposed, the same shall be deemed a misdemeanor in office; and any officer hereinbefore referred to, upon conviction, shall refund the said sum or sums of money, thus unlawfully received, and shall be deemed incapable of holding longer the said office.

Penalty on officers for receiving money for making appointments, neglecting to render accounts, &c.

SECTION 6. Every officer named in this act, or other person,

Penalty for false swearing in verifying accounts, &c.

who shall wilfully swear falsely in verifying any account or transcript or bill, required in this act, or in making any affidavit in reference thereto, shall be deemed guilty of perjury, and shall be liable to the punishment prescribed by the laws of this state for perjury; and every person who shall procure any other person to swear falsely in verifying any such account or transcript or bill, or in making any affidavit in reference thereto, shall be deemed guilty of subornation of perjury, and shall be liable to the punishment prescribed by the laws of this state for subornation of perjury.

Officers, &c., to receive salaries.

SECTION 7. All the officers named in this act, and their deputies and clerks, shall be paid for their services by fixed and specific salaries, which shall be a charge upon the county treasury to the extent of the fees collected and paid in by each office respectively, or earned where fees are chargeable upon the county treasury; and said salary shall be paid monthly, on the second Monday of the month succeeding that on which the services were rendered: *Provided*, That the county controller shall not countersign a warrant for the payment of any officer named in this act, his deputies or his clerks, who shall not have filed the receipt and transcript provided for in this act: *And provided further*, That after ascertaining the amount due the deputies and clerks in each office, and the state's share of the fees, if there has not been a sum sufficient from fees received and paid in, or earned and due by the county for services rendered to pay the full amount of the salary of the officer holding said office, he shall only receive such proportion of his salary as shall be equal to the aggregate of the fees received and earned during his term of office, after paying the deputies and clerks in full, and after also paying the share of the fees due the commonwealth; and all the moneys accruing from fees above the said salaries, and the share of the state, shall accrue to the benefit of the county, except, however, as to all the officers named in this act, and now holding office, who were elected prior to the year one thousand eight hundred and seventy, as to whom, during their unexpired term of office, shall be paid all the fees collected or earned and due by the county in their several offices, after paying the salaries of the deputies and clerks and the state's share, as provided for by this act.

Salaries to be paid monthly.

Controller not to countersign warrants for payment of officers who fail to file receipts, &c.

Cases where fees received are insufficient to pay officers' salaries in full.

Surplus of fees to accrue to benefit of county.

Annual salaries of officers, fixed.

SECTION 8. The annual salaries of the said officers shall be as follows, to wit:

- Of the district attorney, four thousand dollars.
- Of the assistant district attorney, fifteen hundred dollars.
- Of the sheriff, six thousand dollars.
- Of the coronor, two thousand dollars.
- Of the prothonotary, five thousand dollars.
- Of the clerk of orphans' court, two thousand dollars.
- Of the clerk of the courts, three thousand dollars.
- Of the recorder of deeds, four thousand dollars.
- Of the register of wills, two thousand dollars.

County controller and commissioners constituted board to determine number of clerks required, &c.

SECTION 9. That the county controller and the county commissioners shall be and they are hereby constituted a board, whose duty it shall be to meet together from time to time, as they may be required by any of the officers whose salaries are

established by this act, for the purpose of ascertaining and determining the number of clerks or deputies required for the proper dispatch of business by each such officer, and also for fixing the salary of each said clerk and deputy; and when said board is assembled, to consider the case of any one of the offices referred to, the officer holding said office shall sit as a member of said board, and the decision of the majority shall govern; and if either of said officers shall think that the number of his clerks or deputies is too few, or the compensation of either too small, as the same may have been determined by the board as aforesaid, he may appeal from the action of the board to the judges of the court of common pleas of said county, who shall hear and determine such appeal as promptly as possible, and their decision shall be final: *Provided*, That all officers elected prior to the year eighteen hundred and seventy, shall have the power to determine the number and fix the salaries of all their deputies and clerks during the unexpired term of their offices.

Officers to sit as members of board, and decision of majority to govern.

Appeals to court authorized.

SECTION 10. All the deputies and clerks receiving a salary, shall make oath or affirmation before the county controller, that they rendered the services for which they claim a salary, and said salary shall be paid direct to the person entitled to receive the same.

Deputies and clerks claiming salary to make oath.

Salary, how paid.

SECTION 11. All collateral inheritance tax collected by the register shall be by him transmitted direct to the state treasurer, but his commissions on the same shall be paid into the county treasury as other fees provided for in this act.

Collateral inheritance tax collected by register, relative to

SECTION 12. That if any coroner's juror shall demand the fees allowed by law, the coroner shall give such juror a certificate, according to a form to be prescribed by the county controller, that he performed such service; and when such certificate is presented to the county controller by the juror in person, the claim shall be settled in accordance with law; in the case of a post mortem examination, it shall be the duty of the coroner to give the physician making the same a certificate describing the nature of the service rendered, which certificate shall be presented to the county controller by the physician making the examination, for settlement, but no post mortem examination shall be made, unless the majority of the jury called upon the case shall request it; and if the coroner shall neglect or refuse to hold an inquest on the body of any deceased person who has died a violent death, when duly notified or otherwise acquainted with the fact of such death, the fees paid to any justice of the peace holding such inquest shall be deducted from his salary.

Coroner to give certificate to jurors demanding fees.

To give certificate to physician making post mortem examination

When only such examination to be made.

Neglect of coroner to hold inquest.

SECTION 13. All books, records, papers and accounts kept by any of the officers named in this act, shall be open to the inspection of the county controller, who shall have power to examine the same at any time he may wish to do so, for the purpose of verifying therefrom the monthly abstracts filed in his office; and it shall be the duty of the controller to keep one or more printed legal fee bills hung up in his office, in a conspicuous and accessible place, for the use of all who may wish to examine the same.

Books, &c., to be open to inspection of controller.

Controller to put up in office printed fee bills.

SECTION 14. That on and after the first day of July next

Schedule of fees to be received, fixed,

Prothonotary of district court and common pleas.

the officers herein named shall receive and collect as fees, for services performed by them, the amounts specified and set forth in the following schedule of fees :

The fees of the prothonotary of district court and court of common pleas of said county of Allegheny shall be as follows :

Upon each writ, entry of judgment on bond or by confession, amicable action, mechanics or municipal lien, appeal from justice, transcripts of judgment of justice, bill in equity, and on any other petition or original proceeding requiring an appearance docket entry, one dollar and twenty-five cents.

On each suit or proceeding settled, discontinued or satisfied at or before issue or judgment by default, including all argument list services that may be thereon, with satisfaction thereof, two dollars.

On each case tried by jury and determined by judgment, including satisfaction, three dollars.

On each case removed by writ of error to supreme court, including return on additional, one dollar.

On each writ of *feri facias*, *testatum fieri facias* or *capias ad satisfaciendum*, fifty cents.

On each writ of *haberi facias possessionem*, *levari facias*, *venditioni exponas*, seventy-five cents.

For entering satisfaction of any judgment or decree not herein before provided for, fifty cents.

On each proceeding for divorce, charters of incorporation, benefits of insolvent laws and against lunatics and habitual drunkards, for all services thereon, two dollars and fifty cents.

Taking recognizance in bail for stay, *capias*, case and for dissolving attachments, which includes filing of bonds, one dollar.

Issuing subpœna, under seal, twenty-five cents.

Issuing attachments for jurors or witnesses, under seal, each writ, certificate of any kind, with seal of one court, fifty cents.

Certificate requiring seal of both courts, every seal, where whole certificate is not required, twenty-five cents.

Copying or engraving any record, for each page of legal cap, thirty cents.

Entering acknowledgments for sheriff's deeds, including certificates, one dollar.

Furnishing list of liens above certificate, for each judgment, twenty cents.

The fees to be received by the sheriff of the said county shall be as follows :

For serving each summons, *capias*, *scire facias*, replevin, foreign or execution attachment, subpœna in divorce, summons in partition, citation or rule or for executing any bail piece, landlord against tenant, process, or order of court, attachment against witness or for contempt, in addition to mileage, one dollar.

Each defendant, beside the first, fifty cents ; mileage, for each mile actually traveled, six cents.

Executing *feri facias*, *testatum fieri facias*, *haberi levare facias*, *liberari facias*, *venditioni exponas* or *retorno habariri*, one dollar.

Summoning jurors for inquisition, taking inquisition and return, four dollars.

Where more than one writ against same defendant before inquisition, each two dollars.

Executing writ and orders of partition or valuation, including serving jury and return, each day, besides mileage, two dollars.

For return of *nulla bona, tarde venit* or *non est inventus*, forty cents.

Deed for sale of lands, to be paid by the purchaser, two dollars.

Receiving and paying money to plaintiff, or his attorney, recovered upon any process, decree or order of court, by sale or otherwise, for every dollar not exceeding five hundred, in addition to fee for executing writ, one per cent. ; any sum exceeding five hundred dollars and not over one thousand, inclusive of one per cent. on the first five hundred, six dollars.

Any sum exceeding one thousand and not over five thousand of the above, ten dollars.

Any sum exceeding five thousand, inclusive of the above, fifteen dollars.

Fee on every criminal case in quarter sessions court, whether paid by the prisoner or county, one dollar.

Fee on every case in oyer and terminer, two dollars and fifty cents.

Fee on commitment to the county jail, for any criminal matter, fifty cents.

Executing death warrant, fifteen dollars.

Commission on fines per dollar, five cents.

Removing insane persons to lunatic hospital, or convict to the penitentiary, work-house or house of refuge, including expenses incurred, two dollars and fifty cents.

For services in drawing and summoning a competent number of jurors for the several courts, each year, and return of venue, to be paid by the county, without mileage, twelve hundred dollars.

Advertising general or special election, two dollars.

Taking any bail-bond, including replevin, attachment bond or any other indemnification to be furnished, one dollar.

For selling real estate, under decree or order of any court, for any sum not exceeding five hundred dollars, for each dollar, one cent; any sum exceeding five hundred and not over one thousand dollars, six dollars; any sum exceeding one thousand and not over five thousand, ten dollars; any sum exceeding ten thousand and not over twenty, fifteen dollars.

SECTION 3. The fees to be received by the clerk of the court of oyer and terminer and general jail delivery and of the quarter sessions of the peace in and for said county, shall be as follows:

Clerk of oyer
and terminer
and quarter ses-
sions.

For all services in any one prosecution in the court of oyer and terminer, where a true bill is found, including all stationery, swearing jury, entering verdict and judgment thereon, four dollars.

For all services relating to one prosecution in court of

quarter sessions, where true bills are found, including stationery, taking and forfeiting recognizances, entering motions and rules, swearing jury, witnesses, entering verdict and judgment, three dollars.

Where bill is returned ignoramus, one dollar.

All services in cases of surety of the peace, including subpoenas on part of the commonwealth, and for taking recognizances, one dollar.

All services in each case of road or bridge view or review, including entering return and confirmation thereof, three dollars.

For all certificates with seal of court, fifty cents.

Receiving and entering constables' return, to be paid by the county, fifteen cents.

For all subpoenas not hereinbefore provided for, twenty-five cents.

For all attachments, fifty cents.

Entering appeals from justices, fifty cents.

In all applications for licenses, whether granted or refused, including stationery, certificate, advertising, and all services thereon, besides the fee now collected for the state and county, to be paid on filing petition, three dollars.

Recorder of deeds.

SECTION 4. The fees to be received by the recorder of deeds in and for said county, shall be as follows :

For services for recording mortgages, including state tax, two dollars.

For recording charters, including state tax, two dollars.

Recording any deed, including state tax, one dollar and seventy-five cents.

Recording power of attorney, one dollar.

Recording any papers not hereinbefore provided for, one dollar.

Certificate and seal, fifty cents.

Entering satisfaction, fifty cents.

Taking acknowledgments, each person, twenty-five cents.

Every search, where no certificate is required, fifty cents.

List of mortgages, in addition to certificate and seal for each mortgage, twenty-five cents.

Clerk of orphans' court, register of wills, district attorney and his assistant.

The fees to be collected by the clerk of the orphans' court, register of wills, district and assistant district attorneys, shall be as fixed by law prior to the passage of this act: *Provided however*, That all officers herein named, elected prior to the year one thousand eight hundred and seventy, until the expiration of their respective terms of office, shall collect the fees as fixed by law prior to the passage of this act.

Controller, on certain day, to make estimates of amounts required to pay salaries, &c.

SECTION 15. The controller shall, on the first Monday of July next, make estimates of the amount required to pay the salaries provided for in this act, for the balance of the fiscal year, and transfer a sufficient amount of money to the proper appropriation to pay the same.

County to furnish office, furniture, books, &c.

SECTION 16. The county shall furnish the office, furniture, books and stationery required for the use of any of the officers named in this act, and also fuel and the services of a janitor.

SECTION 17. This act shall take effect and be in operation

on and after the first day of July, one thousand eight hundred and seventy-one. When act to take effect.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 426.

A Further Supplement

To an act to incorporate the Allentown Iron Company, approved April twelfth, Anno Domini one thousand eight hundred and fifty-one, repealing so much of the thirteenth section of said act as limits the charter of said company to the term of twenty years.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the thirteenth section of an act, entitled "An Act to incorporate the Allentown Iron Company," approved April twelfth, Anno Domini one thousand eight hundred and fifty-one, as limits the charter of said company to the term of twenty years and no longer, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 427.

A Further Supplement

To an act to incorporate the Wilkesbarre and Pittston Railroad Company, approved April fifteenth, Anno Domini one thousand eight hundred and fifty-nine, authorizing the said company (now the Danville, Hazleton and Wilkesbarre Railroad Company) to extend their road to Hazleton, and make connections with other roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said railroad company is hereby authorized to construct their railroad to Hazleton, upon the most practicable route their engineers may select, and connect with any other railroad along the line thereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 428.

A Further Supplement

To an act to incorporate the Lewisburg, Centre and Spruce Creek Railroad Company, approved April twelfth, one thousand eight hundred and fifty-three, authorizing the issuing of bonds and securing the same by mortgage, giving authority to increase the capital stock, the number of directors to constitute a quorum, and authorizing the extension of the railroad to Danville, in county of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Lewisburg, Centre and Spruce Creek Railroad Company to create, issue and dispose of, from time to time, on such terms and conditions as to the board of directors may seem proper, bonds for an amount not exceeding two millions of dollars, for the full completion of the said railroad, payable at such period or periods of time as

May issue and
dispose of bonds

they may appoint, with coupons attached, or otherwise, bearing interest at a rate not exceeding seven per centum per annum, payable semi-annually, with or without provision for the payment by the company of any or all taxes on the principal or interest thereof, and to secure the said bonds by one or more mortgages of the whole or any portion of the said railroad, estate, real and personal, corporate rights and franchises, acquired and that may hereafter be acquired by said company: *Provided*, That no bond shall issue for a less denomination than one hundred dollars.

May secure bonds by mortgaging road, &c.

SECTION 2. That any mortgage or mortgages executed and delivered under authority of this act, being recorded in the office for recording of deeds in the counties of Union and Centre, shall thereupon be a lien on the property mortgaged, wherever situated, as fully and effectually as if it had been recorded in each of the several counties in which the mortgaged premises, or any part thereof, are or may be situated.

Mortgages, when recorded in Union and Centre counties, to be liens on property mortgaged.

SECTION 3. That it shall be lawful for the president and directors of said railroad company to increase the capital stock of said company, from time to time, to such an amount as may be deemed expedient, not exceeding sixty thousand shares, of the par value of fifty dollars.

President and directors may increase capital stock.

SECTION 4. That the majority of the directors of said company shall constitute a quorum for the transaction of business.

Quorum of directors fixed.

SECTION 5. That the said Lewisburg, Centre and Spruce Creek Railroad Company be and are hereby authorized to extend their railroad to Danville, in the county of Montour, and to connect with any other railroad or railroads at that place or vicinity.

May extend road to Danville and connect with other roads

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem*.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 429.

An Act

To incorporate the Newtown Banking Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George T. Merrick, Benjamin Smith, Isaac H. Hillborn, Corporators.

Name.	Edward Smith, Edward Roberts and Barclay J. Smith, together with such other persons as become stockholders in the said bank, and their successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Newtown Banking Company, to be located in Newtown, Bucks county, Pennsylvania, and by that name they shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal and alter or renew the same, shall have the right to hold or own real estate and dispose of the same at pleasure, and establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating the business of said bank, not inconsistent with the constitution and laws of the state or of the United States.
Powers and privileges.	SECTION 2. That the capital stock of the said bank shall consist of five hundred shares, of one hundred dollars each, with the privilege of increasing the same to any amount not exceeding two thousand shares, of like amount per share; and when the said five hundred shares shall be subscribed, and fifty per centum of the same paid in, the stockholders shall elect a president and six directors, to serve until the next annual election, or until their successors shall have been duly elected; in all elections for officers every stockholder shall have one vote for each and every share of stock standing in his or her name on the books of the bank, and may vote either in person or by proxy: <i>Provided</i> , That married women may hold stock in said bank and vote at any meeting of the stockholders.
Capital stock.	SECTION 3. That it shall be lawful for the said bank to receive deposits of money from individuals and corporations, and to issue certificates of deposit for the same, and pay such interest as may be agreed upon between said bank and said depositors, to loan out said deposits, together with any other moneys they may have, by discounting or purchasing negotiable notes, drafts or bills of exchange, inland or foreign, or other evidences of indebtedness.
Election of president and directors.	SECTION 4. That on the second Tuesday of January after the acceptance of this charter, and on the second Tuesday of January annually thereafter, after twenty days' previous notice of the time and place of meeting, by publication in one or more weekly papers published in the said county, the stockholders shall convene at the office of the bank, and by ballot, as hereinbefore provided, elect one person for president and six persons as directors, who shall continue in office for one year or until their successors shall have been duly elected.
Votes.	SECTION 5. That each stockholder shall be personally and individually liable to the depositors to an amount double the capital stock held by him or her, at its par value; and that the said bank shall pay into the treasury of the commonwealth such bonus and taxes as are now and may hereafter be required by law.
Married women may hold stock, &c.	SECTION 6. That this charter shall continue for twenty years: <i>Provided however</i> , That the legislature hereby reserves the power to alter, revoke or annul this act, whenever in their opinion it may be injurious to the citizens of this common-
Banking privileges.	
Annual election for president and directors.	
Individual liability.	
Bonus and taxes	
Limitation.	
Reservation.	

wealth; in such manner, however, that no injustice shall be done to the corporators.

JAMES H. WEBB,
Speaker of the House of Representatives.

J. D. DAVIS,
Speaker of the Senate *pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 430.

An Act

To authorize the school directors of Peebles sub-district, Twenty-third ward, city of Pittsburg, to borrow money and sell real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of Peebles sub-district, being the Twenty-third ward of the city of Pittsburg, Allegheny county, be and are hereby authorized to borrow any sum or sums of money, not exceeding twenty-eight thousand dollars, for the purpose of erecting school buildings in said sub-school district; and for this purpose the said board of school directors shall issue bonds in the sums of one hundred to one thousand dollars each, running twenty years, redeemable after ten years at the option of the school board; said bonds to bear interest at the rate not exceeding eight per centum per annum, and be free from all taxation except for state purposes.

Authorized to borrow money and issue bonds therefor.

SECTION 2. That the said school directors of the Peebles sub-district are hereby authorized and empowered to sell at public or private sale, and execute a deed in fee simple to the purchaser, such real estate, with the appurtenances belonging thereto, as may not be needed for school purposes.

Authorized to sell real estate.

JAMES H. WEBB,
Speaker of the House of Representatives.

J. D. DAVIS,
Speaker of the Senate *pro tem.*

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 431.

An Act

To establish graded schools in Clearfield.

Preamble.

WHEREAS, Legislation is necessary for the purpose of establishing, in the borough of Clearfield, a system of graded schools in which the rudiments and lower English branches shall be taught free, and the higher English branches and the languages and classics shall be taught at moderate prices, and in order to secure to the children of all citizens thereof an academical education, if they shall desire it, and to insure the keeping open of the schools the longest period possible, in each year, consistent with the resources of the tax-payers therein:

And whereas, It is believed that these objects can be obtained by uniting the resources and property of the Clearfield academy with the resources and management of the common schools in said borough, under an arrangement made by authority of law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Trustees of academy authorized to convey lots to school district.

That the trustees of the Clearfield academy be and they are hereby authorized and empowered to sell and convey into the school district of the borough of Clearfield, for the use of the graded schools aforesaid, all those certain lots of land in Clearfield, on which the said academy is located, known in the plot of said borough as lots number thirty-one and thirty-two, and to assign the same by deed, for such consideration as the parties may fix, subject to the express condition, that the same shall be used for the purpose of a public or graded school, in which all the English branches, mathematics and the classics shall be taught; or, at the option of the parties, the said trustees may execute unto the said school district a mortgage, for such sums of money as they may agree upon, binding the premises aforesaid, payable at such times, and in such manner, and with such rates of interest, as may be agreed upon; the money arising from said mortgage to be expended in the erection of a school building upon said lots of land by the board hereinafter constituted; and the said trustees, and the board of directors of common schools of the borough of Clearfield, shall be and they are hereby vested with full power and authority to make and execute the necessary papers and writings, and to do all other things needful to carry out the purposes of this act.

Subject to.

May execute mortgage upon premises.

How money arising from mortgage to be expended.

Directors may sell lots on which school houses stand.

SECTION 2. That the board of directors of the school district of the borough of Clearfield shall be and they are hereby authorized to sell and convey, either by public or private sale, and for the best price that can be obtained, all those two certain lots in Clearfield on which the school houses now stand, and known in the plot of said borough as lots numbers ninety

and ninety-six, and to assign the same unto the purchaser or purchasers, by deed, in fee simple, free and discharged from all trust, lien or incumbrance; and the moneys arising from such sale shall be used, under the direction of the board of school directors, hereinafter constituted, in the erection and completion of the graded school building named in section one of this act.

How moneys arising from sale to be used.

SECTION 3. That the board of school directors of the borough of Clearfield shall hereafter consist of eight; that the term of office of those now elected shall expire upon the second Tuesday of October next, and the qualified electors of said borough shall, upon that day, elect six persons, citizens and tax-payers thereof, to serve as school directors for two years; they shall be elected upon the principle of the free vote, as defined and fixed in the fourth section of the act to define the limit and to organize the town of Bloomsburg, approved March the fourth, Anno Domini one thousand eight hundred and seventy; and their treasurer shall be elected at the annual election for school directors, to be held in the year Anno Domini one thousand eight hundred and seventy-three, and every two years thereafter, in the manner aforesaid; and the remaining two members of said board of eight shall be elected on the third Friday in October, Anno Domini one thousand eight hundred and seventy-one, by the board of trustees of the Clearfield academy, and every two years thereafter, and they shall hold their offices for two years and until their successors are elected; and the said board of school directors shall be taken and deemed to have all the powers and privileges conferred by law upon school directors of common schools, except when such powers and privileges are altered or supplied by this act; and the said board of school directors shall be and they are hereby authorized to proceed to erect, upon the lots of land named in the first section of this act, a building of the proper size, with the most approved form, and of adequate construction, for the accommodation of the graded schools aforesaid; and they are hereby authorized and empowered to borrow money to an amount not exceeding ten thousand dollars, at such rates of interest and payable at such time or times as they may fix, and to issue the bonds of the said school district therefor, free of tax, which said moneys they shall use exclusively in the erection of the graded school buildings aforesaid.

Number of directors, fixed.

Expiration of terms of present directors.

Election of directors and treasurer.

Powers and privileges

Authorized to erect building for graded school.

May borrow money and issue bonds.

SECTION 4. The said graded school shall be at all times under the supervision and control of the officers by law vested with the charge of the system of common schools of this commonwealth, except when otherwise provided by this act, and the same shall be placed by the board of directors under the charge of one principal and such assistants as may be necessary for the teaching of the rudiments of the English language, and reading, writing and arithmetic in the lower branches of said school, no charges whatever shall be made, and for the higher branches, and the classics and languages, the said board may fix the rates therefor, so that in connection with the funds derived from other sources, all of the said school shall be kept in operation, if possible, during ten months in each year.

Supervision and control of school.

Lower branches to be taught free and higher to be charged for.

Trustees of academy may appropriate money towards erection of building, or loan same to district.

SECTION 5. The said trustees of the Clearfield academy are hereby authorized and empowered to appropriate, towards the erection of the graded school building, such sums as or amounts of money belonging to the said academy as they may by resolution fix, or they may loan the same to the said school district of the borough of Clearfield, and take such security as they may agree upon; and the interest upon the moneys so loaned shall be annually appropriated towards the maintenance of the graded school aforesaid; or if the moneys be not so appropriated or loaned, then the net annual income thereof shall be applied, under the direction of the board provided for in the third section of this act, to the maintenance of the graded schools aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 432.

An Act

To legalize the commission and acts of J. W. Yocum, as notary public at Columbia, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commission of J. W. Yocum, as notary public for the borough of Columbia, Lancaster county, issued by the governor of the commonwealth, and dated April thirteenth, one thousand eight hundred and seventy, is hereby legalized and made valid; and all acts done by the said notary, under said commission, are hereby legalized the same as if full authority had existed for issuing said commission.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 433.

An Act

To vacate part of Township Line road, in the Twenty-eighth ward, city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That part of Township Line, in the Twenty-eighth ward, city of Philadelphia, between Germantown avenue and Lehigh avenue, be and the same is hereby vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem.*

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 434.

An Act

To repeal the supplement, approved April seventh, Anno Domini one thousand eight hundred and seventy, to the act, entitled "An Act relating to executions," approved June sixteenth, one thousand eight hundred and thirty-six, so far as the same relates to the Muncy Creek Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supplement, approved April seventh, Anno Domini one thousand eight hundred and seventy, to the act, entitled "An Act relating to executions," approved June sixteenth, one thousand eight hundred and thirty-six, be and the same is hereby repealed, so far as the same relates to the Muncy Creek Railway Company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

We do certify that the bill, entitled "An Act to repeal the supplement, approved April seventh, Anno Domini one thou-

sand eight hundred and seventy, to the act, entitled 'An Act relating to executions,' approved June sixteenth, Anno Domini one thousand eight hundred and thirty-six, so far as the same relates to the Muncy Creek Railway Company," which has been disapproved by the Governor and returned, with his objections, to the Senate, in which it originated, was reconsidered agreeably to the provisions of the constitution, and passed by two-thirds of the Senate, on the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one, and that the foregoing is the act so passed by the Senate.

WILLIAM A. WALLACE,
Speaker of the Senate.

J. ZIEGLER,
Clerk of the Senate.

We do certify that the bill, entitled "An Act to repeal the supplement, approved April seventh, Anno Domini one thousand eight hundred and seventy, to the act, entitled 'An Act relating to executions,' approved June sixteenth, Anno Domini one thousand eight hundred and thirty-six, so far as the same relates to the Muncy Creek Railway company," which has been disapproved by the Governor, and returned, with his objections, to the Senate, in which it originated, was reconsidered agreeably to the provisions of the constitution, and passed by two-thirds of the House of Representatives, on the twenty-first of April, Anno Domini one thousand eight hundred and seventy-one, and that the foregoing is the act so passed by the House of Representatives.

JAMES H. WEBB,
Speaker of the House of Representatives.

JAS. L. SELFRIDGE,
Clerk of the House of Representatives.

No. 435.

A Supplement

To an act incorporating the city of Oil City, and to provide for the payment of the debt of the borough of Oil City.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the mayor and city council of the city of Oil City shall have power, upon the petition of a majority of the property holders on any street, lane or alley, to require, by ordinance, the grading, curbing and paving of said street, lane or alley

Mayor and
council may re-
quire grading,
&c., of streets.

or side-walk, or parts of the same, not less than one square, and also the draining thereof by gutters, sewers, culverts, or otherwise, within such reasonable time as the said council shall, by ordinance, direct, and shall have full power to levy and collect the cost and expenses of such grading, draining, curbing and paving, by a *pro rata* assessment on the feet front of property abounding and abutting on any street, lane or alley so graded, drained, curbed or paved.

May levy and collect cost thereof.

SECTION 2. That whenever any street, lane, alley or side-walk, within the limits of said city, shall have been graded, drained, curbed or paved by the council, and the costs and expenses thereof assessed and apportioned, as aforesaid, it shall be the duty of the council to cause demand to be made by the mayor, from the owner or owners of such property abounding and abutting, as aforesaid, if known to them to be resident within the county of Venango, or from his, her or their agent, known to them to be resident therein, of the amount of said cost and expenses, to which his, her or their property is liable as aforesaid; and if such owner or owners, his, her or their agent shall neglect or refuse, for the space of thirty days after such demand, to pay the same, it shall be lawful for said council to cause, at any time thereafter, a statement to be made out by the mayor, headed by the name of such street, lane or alley, and setting forth the name or names of the owner or owners so delinquent, to the amount of said expenses for which his, her or their property is liable as aforesaid, and a description of his, her or their property, sufficient to identify it, giving the number of feet it abounds or abuts on such street, lane or alley, and the date of the demand aforesaid, of the truth of all which facts the said mayor shall make affidavit, which statement and affidavit shall be filed in the office of the prothonotary of the court of common pleas of Venango county; and the said prothonotary shall enter the same of record in said court of the term to which it is filed; if the name or names of the owner or owners of property which is liable as aforesaid, is or are unknown, or if the owner or owners have no known residence in the county, or any known agent therein, such fact or facts shall appear on such statement opposite the description of the property.

When streets are graded, &c., cost to be demanded of property owners.

In case of neglect to pay, statement to be filed in prothonotary's office.

Cases where names of owners are unknown, &c.

SECTION 3. That for the purpose of grading, draining, curbing or paving any street, lane, alley or side-walk, the term, "owner or owners," used in this act, is hereby declared to mean any person or persons who may own or lease upon lands for any term, not less than ninety-nine years, renewable forever, or any freehold estate, either for life or otherwise.

Terms "owner" or "owners," construed.

SECTION 4. That no return of a wrong name or names, or owners, or misnomer in said statement, or misdirection of the property, shall vitiate said statement; but the name or names of owner or owners, and the description of the property, may be altered or amended, upon application to said court for that purpose; and such costs and expenses shall be recoverable by writs of *scire facias*, in the name of the commonwealth, for the use of the mayor and council of the city of Oil City, in the same manner as debts secured by mortgage are recovers-

Return of wrong names not to vitiate statements.

How costs to be recoverable.

ble; and such writs of *scire facias* may issue at any time after the filing of such statements.

Repeal.

SECTION 5. That so much of any act or acts as is inconsistent herewith, is and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 436.

An Act

Supplemental to the act constituting the city of Pittsburg an independent school district, approved the twelfth day of February, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Central Board of Education shall have power to borrow an additional fifty thousand dollars, and to issue bonds, bearing interest at a rate not exceeding seven per cent. per annum; said bonds to be free from county and municipal taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM M. RANDALL,

Speaker of the Senate *pro tem.*

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 437.

An Act

Extending the Penn township road law, in the county of Allegheny, to Indiana and Wilkins townships, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road law of Penn township, in the county of Allegheny, approved the eighteenth day of March, Anno Domini eighteen hundred and sixty-nine, be and the same is hereby extended to Indiana and Wilkins townships, in said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 438.

A Supplement

To an act, entitled "An Act incorporating the Bald Eagle, Nittany and Brush Valley Turnpike Company," passed the fourteenth day of April, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the said Bald Eagle, Nittany and Brush Valley turnpike company shall have authority to charge, demand and receive from persons passing on said road, twenty per cent. in addition to the tolls and rates heretofore authorized by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 439.

An Act

To incorporate the Fifth Avenue Bridge Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Corporators. That Charles H. Armstrong, Joseph Walton, James M'Ginnis, E. P. Jones, Henry Lloyd, George Black, John M. Miller, James Blackmore, D. P. Estep, Isidore Coblens, August Ammon, James H. Hopkins, Samuel M'Elheny, William H. M'Clelland, David A. Hutchinson, John Flinn, R. G. Herron, John M. Hoch, Max Moorhead, Thomas Neeley, H. W. Olliver, James A. Toner, F. Schroder, James J. Ricketts, P. O'Brien, James M. Taylor, Robert Dickson, Joseph Marshall, George W. Wilson, John P. Heisel, W. J. Lewis, their associates, successors and assigns, be and they are hereby created and declared a body politic and corporate, by the name, style and title of the Fifth Avenue Bridge Company, and by that name and title shall have perpetual succession, and sue and be sued, plead and be impleaded in any court, whatever, and contract and be contracted with, may have and use a common seal, and alter the same at pleasure, and have and use and exercise all the rights and privileges and franchises that are or may be necessary or that are hereby given or intended to be given.
- Title. Powers and privileges.
- SECTION 2.** The said Fifth Avenue Bridge Company are hereby authorized to build, erect and construct a bridge over the Monongahela river, at any practicable point on Bluff street, between Van Braam and Brady street, to the borough of Birmingham or East Birmingham: *Provided,* That the erection of said bridge shall not obstruct the navigation of said river so as to endanger the passage of rafts, steamboats or other water crafts, and that the piers shall not be so placed as to interfere with tow-boats proceeding out with their tows made up, and shall be constructed in such manner as meet the requisitions of the law in regard to the obstructions of navigation.
- Construction of bridge authorized.
- Not to obstruct navigation of river.
- Pier.
- SECTION 3.** That the capital stock of the said company shall be two hundred and fifty thousand dollars, with the privilege of increasing the same, from time to time, as they may think proper and necessary to carry out this act; which stock shall be divided into shares of such amount as the board of directors may determine, and may be sold at the fixed par value, or at such price as may be deemed best, and be declared fully paid and not subject to further calls; and the said stock may be appropriated to the payment of materials furnished, labor performed or to be performed, expenses incurred, and in payment of ground, buildings, boats purchased, leased or constructed, and for everything generally needed in carrying out
- Capital stock.

the purposes of this act; and may also dispose of and use the said stock in the negotiation and sale of any securities authorized to be created by this act, either by absolute transfer, for such consideration as may be deemed expedient, or collateral security.

SECTION 4. The said company is hereby authorized to hold, use and own, by purchase or otherwise, and to sell, lease, let, mortgage, transfer or convey all property, real, personal and mixed, necessary to their work and business, and that may from time to time be deemed proper.

May hold and dispose of property.

SECTION 5. That any five of the persons named in this act, or such persons as may hold a majority of the stock required to be subscribed for before commencing the building of the bridge, are hereby authorized to organize the corporation, and shall choose, by a majority of the stock subscribed and paid for, as provided, a board of directors, consisting of not less than five persons, who shall choose or elect a president, vice president, if deemed advisable, a secretary and a treasurer, and such other officers as they may think necessary to conduct the business of the company; the directors and officers to hold their places for such time as may be fixed by the by-laws, and until other officers are chosen; and the said company shall have power to make such by-laws, rules and regulations, not inconsistent with the constitution and laws of this state, and of the United States, as may be necessary; the existence of the said corporation to be in nowise affected by reason of failure to elect officers at the time fixed by the by-laws.

Organization.

Election of directors and other officers.

By-laws, &c.

SECTION 6. That the incorporators, or a majority of them, herein named, are hereby authorized and directed to open a book or books of subscription to the capital stock, of which notice shall be given in at least three newspapers, published in the city of Pittsburg, at such times and places as to them may be deemed most advisable; and as soon as fifty thousand dollars of the stock has been subscribed for, and ten per centum actually paid, in accordance with the provisions of this act, the said company may commence the business herein authorized.

Subscriptions to stock.

Commencement of business.

SECTION 7. The said company is hereby authorized to create a mortgage or mortgages on any part or the whole of their property, including the franchises hereby granted, and execute and deliver coupon bonds thereon, bearing interest at the rate of seven and three-tenths per centum per annum, which bonds shall be convertible any time before maturity, at the option of the holder, into the stock of the said company; and the said company may dispose of the aforesaid securities at such rates as may be deemed proper, and also have the power of hypothecating them as security for the payment of money loaned the said company.

May create mortgages and execute coupon bonds.

May dispose of said securities.

SECTION 8. That the president and managers of the company may contract with the owners of any land for the purchase of so much as shall be necessary for completing said bridge, and making all necessary works and causeways to and from the same; but in case they cannot agree, then it shall and may be lawful for the said president and managers to apply to the

President and managers may contract for purchase of lands.

Proceedings in cases of disagreement with owners.

court of common pleas of the proper county, who are hereby authorized and required to appoint three disinterested persons of such county, who, after being duly sworn or affirmed faithfully to perform the duties enjoined, shall proceed to view the said lands necessary for completing the said bridge, and making the necessary works and causeways to and from the same, and shall estimate the value of the said lands to be taken, and the advantages, as well as disadvantages, which may be sustained by the owners of such lands, shall make an appraisalment thereof, and return the same, with the map of such lands, to the said court of common pleas; and the said appraisalment, having been approved by the court, shall be filed, together with the said map; and the said company, having paid to the said owners, respectively, the several sums awarded to them, with the costs, after the same shall have been confirmed by the court, shall be entitled to have and to hold, to them, their successors and assigns, the said land, as fully as if conveyed by their owners: *Provided*, That said appraisalment shall be held to be confirmed by the court of common pleas, unless exceptions be filed by either party within ten days after the same shall have been approved.

May hold and dispose of property.

SECTION 9. The said company is hereby authorized to hold, use and own, by purchase or otherwise, and to sell, lease, let, mortgage, transfer or convey all property, real, personal and mixed, necessary to their work and business, and that may from time to time be deemed proper.

Penalties for injuring bridge, carrying fire, &c.

SECTION 10. That if any person or persons shall wilfully pull down, break or destroy any part of the said bridge, or any toll-house, gates or other property of the said corporation, erected for the use of said bridge, or shall wilfully or maliciously obstruct the passage over the said bridge, each of them shall forfeit and pay, for each and every offence, to the said company, the sum of twenty dollars, to be recovered as other debts of like amount are recoverable, and be imprisoned in the jail of the proper county for a period not less than ten nor more than thirty days, at the discretion of the court; and if any person shall be guilty of carrying a lighted cigar or pipe, or of carrying fire in any manner whatsoever on said bridge, except in a lantern or in some vessel secured so that the probability of setting fire to said bridge shall be fully prevented, or shall discharge any pistol or gun or any fire-arms on or near said bridge, he, she or they so offending, shall forfeit and pay to the said company the sum of twenty dollars, and suffer imprisonment as aforesaid; or if any person or persons shall ride or drive on or over said bridge in a faster gait than a walk, he, she or they so offending shall forfeit and pay to the said company the sum of ten dollars for every such offence, to be recovered in like manner as aforesaid; but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after it shall be known who committed said offences, and he, she or they so offending, shall remain liable to actions at the suit of said company, if the sums herein mentioned be not sufficient to repair and satisfy said damage.

SECTION 11. That it shall be lawful for the president and

managers, their superintendents, engineers and workmen, to enter on lands near the place where the bridge is to be built for the location of the same, and to cut and carry away timber, dig gravel, quarry stone or gather sand necessary for building; also to enter thereon with wagons and carts to take and carry off any material necessary, doing as little damage as possible, and making amends for damages or giving security for the same, and if the parties cannot agree upon the amount, said damages shall be assessed as road damages are by law assessed; the president and managers shall pay such damages with costs, and in case of refusal, the court shall enforce payment by execution.

May enter upon adjacent lands and carry away materials.

Damages.

SECTION 12. That the said company are empowered to erect gates, and to demand and receive the same tolls for crossing said bridge, as are now by law authorized and collected for crossing over the Monongahela bridge at Smithfield street, in said city.

May erect gates and demand tolls.

SECTION 13. The stockholders shall be personally liable for materials furnished and labor performed, to the amount only remaining unpaid on the stock held by them respectively.

Liability of stockholders.

SECTION 14. The governor is hereby authorized and directed to grant and issue letters patent to the corporators, or a majority thereof named in this act, or their assigns, whenever fifty thousand dollars of the stock shall have been subscribed and five per centum thereon paid in, as provided for in this act, satisfactory certificate of this fact first having been made to the governor.

Letters patent.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 440.

A Further Supplement

To an act, entitled "An Act to authorize the governor to incorporate the Pittsburg Bridge Company," approved the sixth day of April, one thousand eight hundred and fifty-five, changing the name and enlarging the corporate powers of said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

- Name changed.** That the company heretofore chartered under the original act as the Pittsburgh Bridge Company, shall hereafter be known by the name, style and title of the Tripartite Bridge Company of Pittsburgh, and by said name shall be entitled to all the rights, powers and privileges of the original company.
- Location, &c., of piers.** SECTION 2. That the piers to be erected by said bridge company shall be located in such manner as shall cause the least obstruction to navigation, and the space between the piers, across the main channel of each river, shall be at least five hundred feet in the clear.
- Rates of toll.** SECTION 3. That the said company is hereby authorized to charge the same rate of toll to all persons using the branch of said bridge across the Allegheny river as it is authorized to charge upon the bridge across the Monongahela river, and also to charge the cars of any passenger railway company, using said tripartite bridge, such rates of toll as may be agreed upon.
- May call meeting of stockholders for election of officers.** SECTION 4. That the said Tripartite Bridge Company of Pittsburgh is hereby authorized, at any time within sixty days after the passage of this act, to call, by advertisement in two newspapers in the city of Pittsburgh, a meeting of all the holders of stock, new as well as old, for the election of officers to serve until the next annual election, in January, one thousand eight hundred and seventy-two.
- Stockholders may, in certain case, authorize issue of bonds.** SECTION 5. That in case of a deficiency of stock to complete the bridge, the stockholders of said company, at a meeting called for that purpose, may authorize the president and directors to issue bonds, in such sums, at such time and for such rate of interest as they shall deem best, to any amount not exceeding three hundred thousand dollars, secured by a mortgage upon all or any of the property, rights and franchises of the corporation.
- May construct inclined planes and run cars thereon.** SECTION 6. That the said Tripartite Bridge Company of Pittsburgh shall have power to construct one or more inclined planes, from any point or points, at or near the south end of its bridge, to the brow of Coal hill, in the borough of Union, and in the borough of Mount Washington, west of Bigham street, and on the same to run cars for the transportation of freight and passengers, and to charge therefor the same rates of toll as the Monongahela inclined plane is now authorized to charge; and the said company shall also have the right to purchase, hold, improve, lease and convey real estate under its corporate seal.
- Tolls.**
- Real estate.**

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 441.

An Act

To exempt the real estate owned by the Catholic Home for Destitute Children from taxation, except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate owned and in actual use by the said Catholic Home for Destitute Children, being the premises situated on the south side of Race street, east of Eighteenth street, in the city of Philadelphia, containing in front on Race street, fifty-nine feet, and in depth one hundred and thirty-four feet, be and the same is hereby exempted from all taxation whatsoever, except for state purposes, and such exemption shall include whatever taxes may be due since the occupancy of said property for the purpose mentioned herein, and shall continue only so long as the said property shall be occupied as a Catholic Home for Destitute Children.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 442.

A Supplement

To an act relative to vagrants and disorderly persons, et cetera, in the city of Lancaster, in the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to which this is a supplement, relating to the fees of mayor, aldermen and constables, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby extended to the

justices of the peace and constables in the township of Lancaster, in the county of Lancaster.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 443.

An Act

Amending the charter of the Harrisburg District Camp Meeting Association of Landisville, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of control of said corporation shall have power to appoint such peace officers as may be deemed necessary, for the purpose of keeping order on the camp ground and premises of the corporation, which officers shall be paid by the said corporation for their services, but shall have, when on duty, the same power, authority and immunities which constables and other peace officers, under the laws of the state, possess and enjoy when on duty as such, and they shall have power to enforce obedience on such ground and premises, to any rule or regulation of said board of control, for the preservation of quiet and good order; all the provisions of an act to prevent the disturbance of meetings held for the purpose of religious worship, passed the twenty-second day of April, one thousand eight hundred and twenty-two, shall apply to all meetings or gatherings held in pursuance of, or under the authority of this corporation in all respects.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 444.

A Further Supplement

To the act, entitled "An Act to incorporate the Seranton and Olyphant Boulevard Company," approved the eighteenth day of February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time mentioned in said original act for the commencing said road, be and the same is extended for a period of two years from the passage of this act, and the time for the completion thereof be extended for a period of two years from the time of the commencement thereof.

Time for commencing and completing road, extended.

SECTION 2. That after the completion of that part of the said road or boulevard, from Gibson street, at Fairlawn, to its intersection with the township road leading from Dunmore to Olyphant, at or near Anderson's Corners, the residue of the route may be abandoned by the company, if a majority of the stockholders in interest shall so decide, at a stockholders' meeting called for that purpose: *Provided,* That the board of managers shall have the power to fix the rate of tolls which may be charged and collected upon the said road.

Part of route may be abandoned.

Managers may fix rates of toll.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 445.

A Supplement

To an act, entitled "An Act to incorporate the People's Railway Company," approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time provided in the act of general assembly of this

Time for com-
mencing and
completing
road, extended.

commonwealth, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-five, entitled "An Act to incorporate the People's Railway Company," for the commencement and completion of the railway authorized to be constructed by said company, be and the same is hereby extended until the expiration of three years from and after this date.

Irregularities in
organization
and acts of com-
pany, validated.

SECTION 2. That all irregularities in the organization of said company, and all the corporate acts of said company hitherto, shall be and the same are hereby confirmed and made valid to all intents and purposes, upon the approval thereof, by the board of directors elected next after the passage of this act, and in the manner herein provided.

Election of new
board of direc-
tors, relative to.

SECTION 3. That it shall be lawful to elect a new board of directors, by the majority of the subscribers to the stock in said company or their assigns, hitherto and hereafter made, upon five days' public notice of a meeting for that purpose, to be held in Pottsville, to be published in at least one newspaper in Pottsville, by the president of the board of directors heretofore elected.

May use
dummy steam
engine, &c.

SECTION 4. That it shall be lawful to use the dummy steam engine upon the railways of said company, and to cross at grade the track or the railway of any other railroad company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 446.

A Supplement

To an act, entitled "An Act to incorporate the Pennsylvania Joint Lumber and Land Company," approved the seventeenth day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the Pennsylvania Joint Lumber and Land Company to pass and re-pass over the unimproved land or lands of any person or persons, in order to enable the said company, its agents or employees, to have ingress and egress to the lands, lumber and other property of the said company; and it shall and may be lawful for the said

May pass over
unimproved
lands.

company to lay out and open all necessary roads upon any of said unimproved lands, for the purpose of transporting the logs, lumber and other property of the company; and the said company shall have the further right to take, use and occupy such unimproved land or lands of any other person or persons, (not being used or occupied by the owners of said lands,) as shall be necessary for the purpose of piling and banking the logs, lumber and other property of the said company: *Provided however*, That the said Pennsylvania Joint Lumber and Land Company shall pay to the owner or owners of said land or lands such damages therefor as will fully compensate said owner or owners for the use and occupation of any land or lands so taken, used and occupied by said company.

May open roads upon said lands.

May use and occupy same.

Damage.

SECTION 2. That in case the said Pennsylvania Joint Lumber and Land Company, and the owner or owners of any land or lands, taken in accordance with the provisions of the foregoing section, shall be unable to agree upon the amount of damages to be paid for the use of any land or lands so taken, used and occupied, it shall and may be lawful for either party to petition the court of quarter sessions of the county wherein the land or lands in dispute shall be located, for the appointment of a view to appraise and ascertain said damages; and thereupon it shall be the duty of the said court to appoint three disinterested persons, who shall proceed, after giving not less than five days' notice to the parties, their agents or attorneys, to view and appraise (taking into consideration the advantages as well as the disadvantages) the damages the owner or owners have sustained, if any, and to make report thereof to the next court of quarter sessions of the proper county; whereupon the court shall proceed as in the manner provided under existing laws in case of road views, and shall have power to confirm, change or modify the report, and the amount of damages, and decree payment of costs by either party, or divide the same between them, as justice and equity may require.

Proceedings in cases of disagreement as to damages.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 447.

An Act

Authorizing the town council of the borough of Beaver Falls, Beaver county, to provide for the paving and grading the streets of said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when the majority of owners of real estate in any street or streets in the borough of Beaver Falls shall or may desire to have the cart-way of their street or streets graded according to the grade established for said streets, and few or many of them shall have subscribed towards the cost of such grading, such an amount of money, in all, as will, with the amount of taxes assessed upon the real estate in and upon said street or streets for that year, be sufficient to pay for the cost of said grading, then the council of said borough shall advertise for proposals for so grading said street or streets, and let the same to the lowest and best bidders, and shall apply to the payment thereof the sums of money so subscribed, together with the amount of the tax assessed on the real estate of said street or streets; and the council of said borough shall have power and are hereby authorized to issue the bonds of the corporation to such persons as may have subscribed and paid to do this work of grading for the amounts so subscribed and paid, and the said bonds shall stipulate for the payment thereof by crediting thereon, each year thereafter, one-half of the amount of taxes assessed upon the real estate of said subscribers, being on said street or streets, until the whole amount, with interest at six per cent. per annum, shall be fully paid.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 448.

A Supplement

To an act, entitled "An Act to incorporate the city of Williamsport."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no voter, otherwise qualified, shall be entitled to vote for any person for the office of mayor, recorder, treasurer, councilmen or school directors, in the city of Williamsport, unless he shall have paid a city tax, assessed in and for said city, within one year last preceding such election, and shall have resided in said city at least six months last preceding such election.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 449.

An Act

To enable the borough of New Brighton to establish water works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of New Brighton, county of Beaver, is hereby empowered to organize a water work department and establish water works in said borough, under the management and control of the town council of said borough, by such regulations and limitation as may be prescribed by this act or by the ordinances of said borough in pursuance thereof.

May organize
department and
establish works.

SECTION 2. That the said borough, in the establishment of said water works, shall have power, and is hereby clothed with the same power, and shall be subject to the conditions of sections tenth, eleventh, fourteenth and fifteenth of the act, entitled "An Act to provide for the incorporation of gas and water companies," passed the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

Subject to.

May borrow money and issue bonds therefor.

SECTION 3. That in order to organize and erect water works aforesaid, the borough of New Brighton shall have power to borrow any sum of money, not exceeding the sum of eighty thousand dollars, at an interest not to exceed eight per centum, and to issue therefor, in the name of said borough, coupon bonds, or the certificate of loan, as may be agreed upon, payable within the period of twenty years from the time of contract of said loan or loans.

Payment of interest on moneys borrowed, relative to.

SECTION 4. That said borough shall provide for the payment of interest for moneys so borrowed, out of the receipts for water rents or taxes, as a permanent provision of income for that purpose, after deducting current expenses of the administration of the water department: *Provided however*, That any deficiency for payment thereof shall be supplied by special taxation imposed.

Superintendent.

SECTION 5. That the town council, burgess and assistant burgess of said borough shall be authorized to appoint a superintendent of water works and determine his annual salary, who, in conjunction with a standing committee of three persons, appointed by the town council from their own body, shall have the management of said water works, with power to appoint other subordinate agents or employees under them, as shall be required in the erection, repair and preservation of said works.

Management of works.

Council may pass ordinances to protect works

SECTION 6. That the town council shall be empowered to pass any and all reasonable borough ordinances, of a penal character, to maintain, protect and preserve said works from injury, molestation or destruction against any and all offenders.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 450.

An Act

To authorize the Knap Fort Pitt Foundry Company, of the city of Pittsburgh, to test cannon and other ordnance at their proving ground in Patton township, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Knap Fort Pitt Foundry Company, of the city of Pittsburg, is hereby authorized and empowered to prove and test all cannon, mortars and other ordnance manufactured by them, at and upon the proving ground heretofore used for the proving and testing of cannon lying and being upon the Pennsylvania Central railroad, in or near Patton township, in the county of Allegheny; and no indictment shall be hereafter found or prosecuted against any members, officers, agents or employees of the said company, for any firing of cannon, mortars or other ordnance in the necessary testing and proving thereof, at the place aforesaid: *Provided*, That the said company shall use due care and diligence to prevent injury and annoyance to citizens, and shall be liable in an action at law for any damage to persons or property which may occur from negligence or carelessness in the proving and testing of guns aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 451.

An Act

To incorporate the American Press Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis Wells, of the Philadelphia Evening Bulletin, G. Wharton Hamersly, of the Germantown Daily Chronicle, Alexander Cummings, of the Philadelphia Day, W. J. Koontz, of the Pittsburg Evening Mail, R. P. Nevin, of the Pittsburg Evening Leader, Sidney Dean, of the Providence Morning Star, Robert Johnson, of the New York Evening Mail, Benjamin Wood, of the New York Daily News, Joseph Howard, Jr., of the New York Star, Theodore Mierson, of the New Yorker Journal, Robert C. Dunnham, of the Boston Times, Frederick Schwedler, of the New York Demokrate, James H. Lambert, of the New York Daily Democrat, L. C. Matthews, of the Louisville Ledger, and such other persons as may be associated with them and their successors, be and are hereby created a body politic, by the name, style and title of the American Press Association, and by such name and title

Powers and
privileges.

shall have perpetual succession, and be capable in law of suing and being sued, pleading and being impleaded, and shall have power to purchase, hold, grant and receive, in its corporate name, property, real, personal and mixed, and as such association shall have authority to have and use a common seal, and the same to change, alter and amend at pleasure, and the said association may make all needful rules and regulations and by-laws for the well-ordering of the business and affairs thereof, and to elect or appoint such officers and agents and open such offices in any part of the United States or foreign countries, as may by them be deemed necessary; the said association shall have authority also to elect a president, vice president, secretary, treasurer and board of directors, at such time and place and under such regulations as they may by their by-laws prescribe.

Business.

SECTION 2. That the business of said association shall be to collect, receive and distribute news to the newspaper press, and to persons or corporations for public or private use, upon such terms as may be agreed upon; and the said association shall have power to print, publish, issue and dispose of such newspapers, books, maps, pamphlets and literary productions as may be deemed expedient.

May issue capital stock.

SECTION 3. That the said association may, if they deem it necessary, issue capital stock to the amount of two hundred shares, of the par value of one hundred dollars each, with power to increase the same as they may deem necessary to carry out the purposes of the association; and they may also issue certificates of indebtedness, bearing such rate of interest as they may deem proper, payable at such time after the date thereof, and the parties receiving the same may assent to.

May issue certificates of indebtedness.

Directors may exact bonds from employees

SECTION 4. That the directors of the said association shall have power to exact bonds if they deem them necessary, with sureties from any or all their employees, for the faithful discharge of their duties.

Bonus and taxes on dividends.

SECTION 5. That the said association shall pay a bonus into the treasury of the commonwealth of one-fourth of one per centum on its capital stock when issued, and upon any increase thereof, in the manner prescribed by existing laws, and such taxes on dividends as are now or may be hereafter prescribed by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 452.

An Act

In reference to fire and fire companies in the borough of New Brighton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of New Brighton, county of Beaver, is hereby authorized to erect a suitable building, or engine house, for the use of fire companies, and for the protection of fire engines and hose carriages, or other fire apparatus, and to assess and collect, in the usual manner, a special tax, not exceeding five mills, annually, for two years, upon the valuation for county purposes, to be applied to fire purposes exclusively.

Council authorized to erect engine house.

May collect special tax.

SECTION 2. That for the location of said building the town council are authorized to purchase or lease, in the name of said borough, a suitable lot of land, in which to erect said engine house, and therefor pay such purchase money or rent as shall be agreed upon.

May purchase or lease lot.

SECTION 3. That the school controllers of said borough shall have power, for a term of years, to lease to said borough, for the erection of said fire engine building, such portion of any school lot or lots in said borough, at such annual rent, payable to said school board, as shall be mutually agreed upon between said borough and school authorities.

School controllers may lease to borough portion of school lots.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 453.

An Act

Relative to loan of the board of school directors of the common school district of the city of Harrisburg, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

School directors authorized to borrow \$50,000.

That the board of school directors of the common school district of the city of Harrisburg are hereby authorized to borrow the sum of fifty thousand dollars, for the purpose of building school houses in the said city, in addition to the loan legalized by the act of assembly, entitled "An Act to legalize a loan of the board of directors of the Second (North ward) school district of the city of Harrisburg," approved February twenty-seventh, one thousand eight hundred and sixty-eight; and are further authorized to issue coupon bonds, in such amount as they may deem necessary, not to exceed, in the aggregate, the sum of fifty thousand dollars, in the name of the said board of school directors; said bonds to be redeemed on the first day of October, Anno Domini one thousand eight hundred and ninety-one, bearing interest at the rate of six per centum per annum, payable semi-annually on the first day of April and October of each and every year: *Provided*, That the aforesaid board of school directors may redeem the bonds hereby authorized to be issued, at any time after the first day of October, Anno Domini one thousand eight hundred and seventy-six: *Provided further*, The aforesaid board of school directors are hereby authorized and empowered to use such amount of the money borrowed under the provisions of this act, as may necessary to redeem the bonds heretofore issued by the said board of school directors, and legalized by an act of assembly, entitled "An Act to legalize a loan of the board of directors of Second (North ward) school district of the city of Harrisburg," approved February twenty-seventh, one thousand eight hundred and sixty-eight, and redeemable on the first day of October, one thousand eight hundred and seventy-two.

May issue bonds

Redemption of bonds.

Redemption of bonds heretofore issued.

Payment, &c., of bonds issued by directors of Second (North ward) district, relative to.

SECTION 2. That so much of the second section of the act, entitled "A supplement to the act of March nineteenth, one thousand eight hundred and sixty, entitled 'An Act to incorporate the city of Harrisburg, providing for a loan, extending its limits, re-districting the city, and for other purposes,' approved April twenty-second, one thousand eight hundred and sixty-eight," as enacts that the coupon bonds of the board of directors of the Second (North ward) school district of the city of Harrisburg, redeemable October first, one thousand eight hundred and seventy-two, therein legalized, shall be paid by the board of directors of the city of Harrisburg from moneys levied and collected by tax from the district heretofore known as the second (North ward) school district of the city of Harrisburg; and further enacts, that the said bonds are hereby declared and made a lien on the real property belonging to the board of directors heretofore known as the board of directors of the Second (North ward) school district of the city of Harrisburg, be and the same is hereby repealed; and it is hereby enacted, that the said bonds and interest thereon shall be paid by the board of school directors of the city of Harrisburg from, moneys levied and collected by tax from the common school district of the city of Harrisburg, as constituted by the aforesaid act of assembly, approved April twenty-second, one thousand eight hundred and sixty-eight; and the said bonds are hereby declared and made

a lien on the real property belonging to the board of school directors of the said common school district of the city of Harrisburg: *Provided*, That nothing in this act shall be construed to impair the validity or obligation of said bonds, or to interfere with their redemption, in accordance with the terms of the act, entitled "An Act to legalize a loan of the board of directors of the Second (North ward) school district of the city of Harrisburg," approved February twenty-seventh, one thousand eight hundred and sixty-seven.

SECTION 3. That the board of school directors of the common school district of the city of Harrisburg be and they are hereby empowered to engage the teachers employed in the common school district by the year, commencing on the first Monday of September.

Directors may engage teachers by year.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 454.

A Supplement

To an act, entitled "An Act to incorporate the Spring Brook Horse Railway Company," approved April third, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the corporation be changed to the Spring Brook Railway Company. Name changed.

SECTION 2. That the said corporation shall be allowed to use steam power in operating said railway, or any of its branches. May use steam power.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 455.

An Act

To amend an act, entitled "An Act incorporating the Ligonier and Latrobe Railroad Company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-three," to change the name, commission and terminus.

Name changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the Ligonier and Latrobe Railroad Company shall be known and designated by the name of the Ligonier Valley Railroad Company.

Terminus.

SECTION 2. The terminus shall be at or near the borough of Latrobe, or some other point on the Pennsylvania railroad, within five miles of said place.

Commissioners appointed.

SECTION 3. The following persons shall be and are hereby appointed commissioners: John A. Miller, Noah M. Marker, John Hargnett, Robert M. Graham, William A. Bear, Joseph W. Moorhead, John Murdock, M. W. Dallas, William Anderson and J. D. Pore.*

Repeal.

SECTION 4. That so much of the original act aforesaid as is inconsistent herewith be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 456.

An Act

Opening Brandywine street, between Fifteenth and Broad, in the city of Philadelphia, and Nicetown lane, and providing for the grading, curbing and paving the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of Philadelphia are hereby authorized and

directed, within thirty days after the passage of this act, to have Brandywine street, between Fifteenth and Broad, in the city of Philadelphia, opened, graded, curbed and paved.

Opening, &c., of Brandywine street, relative to.

SECTION 2. That the councils of the city of Philadelphia are hereby directed to have placed upon the public plans of said city Nicetown lane, of the width of fifty feet, from German-town avenue to Ridge road, in the Twenty-eighth ward; and the department of highways of the city of Philadelphia are directed to order the opening, curbing and grading of said street, between the points herein named; and when the majority of owners, for the whole or part of the distance, shall ask the same to be paved or macadamized, the department of highways of the city of Philadelphia shall enter into the said contract.

Opening, &c., of Nicetown lane, relative to.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

Approved—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 457.

An Act

To authorize the Second Presbyterian church of Carlisle to extend the buttresses of their church two feet on the side-walk of Pomfret street.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Second Presbyterian church of the borough of Carlisle is hereby authorized and vested with the right to build the present church edifice, that they are erecting on the corner of Pomfret and South Hanover streets, in the borough of Carlisle, according to the present plans and specifications, and on the ground they now occupy with the foundations, and to extend six buttresses, and a tower of said church, two feet into the public side-walk on Pomfret street.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 458.

An Act

Supplementary to an act, entitled "An Act to incorporate the Atlantic and Ohio Telegraph Company," approved March twenty-fourth, one thousand eight hundred and forty-nine, and to confirm certain agreements executed by said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Atlantic and Ohio Telegraph Company shall be entitled to all the privileges of the third and fourth sections of an act to incorporate the Eastern Telegraph Company, approved fifth of April, one thousand eight hundred and sixty-six; and that any agreement or lease heretofore at any time made by said company, to or with any other persons or corporations having telegraph lines within or out of this state, are hereby ratified and confirmed, the same as if they had been made by virtue of express authority of law.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 459.

An Act

Relating to hawking and peddling and auctions in the county of Clinton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act no person shall sell or expose for sale, within the limits of the county of Clinton, as a hawker, pedler or traveling merchant, any goods, wares, implements or merchandise without first obtaining a license so to do, and paying therefor to the treasurer of said county, for the use of the commonwealth, the sum of two hundred dollars; which license the treasurer of said

Hawking and peddling without license, prohibited.

Amount of license and by whom granted.

county is hereby directed and authorized to grant upon the payment of said sum, to be good for one year from the date thereof: *Provided*, That said license shall not be transferable, and no more than one person shall be permitted to sell under the same license.

Transfer of license, &c.

SECTION 2. That if any person or persons shall so engage or be concerned in hawking or peddling within the limits of said county, without first obtaining such license as aforesaid, he or each of them shall forfeit and pay the sum of one hundred dollars, one-half for the use of the commonwealth and the other half for the use of the person who shall prosecute for the same; the said penalty to be recovered by action of debt before any justice of the peace, as debts of like amount are by law recoverable, and every repetition of said offence shall be considered as a new offence; and every person so employed, who, upon demand, shall refuse to exhibit his license, shall forfeit and pay the sum of fifty dollars, to be recovered in the same manner and for the same use aforesaid: *Provided*, That this act shall not apply to residents of the county who are decrepit or have been wounded in the military service of the United States, nor to merchants, resident and doing business within the county, nor to persons known as butter and egg peddlers.

Penalty for hawking and peddling without license.

Penalty for refusing to exhibit license.

Not to apply to decrepit persons, &c.

SECTION 3. No person shall be permitted to follow the business of receiving goods, ware or merchandise for the purpose of selling them by public auction within the limits of the county aforesaid; and the auctioneer of said county shall not be permitted to combine with or in any manner associate with him any merchant, commission merchant or other person who shall derive percentage, profit or advantage from the sale of any goods at auction, or farm out the office to another, or derive profit or advantage from any sales at auction not personally represented and sold by himself or his regular and known clerk or deputy; and no person shall, under pretence of declining business, dispose of his, her or their stock of goods, wares or merchandise by public auction, in said county, unless such person or persons shall have resided and been a licensed retailer in said county at least six months immediately preceding such sale; and that under such pretence of declining business, no person or persons as aforesaid shall dispose of his, her or their stock of goods, wares or merchandise, by public auction, more than once in any term of two years; and any person offending against this section shall forfeit and pay the sum of one hundred dollars for each day so offending, to be recovered in the same manner as the penalty provided in the second section of this act is recoverable.

Persons not to receive goods to sell by auction.

Auctioneer not to associate persons with himself.

Persons in business less than six months not to sell out by auction.

Penalty for so doing.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 460.

An Act

Relative to bonds issued by the directors of the Lawrence school sub-district of the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the bonds issued, and which may hereafter be issued by the board of school directors of the Lawrence school sub-district, (Fifteenth ward,) city of Pittsburg, under and by virtue of the sixty-sixth section of the act to which this is a further supplement, be and the same are hereby exempted from all taxation, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 461.

An Act

To incorporate the Selinsgrove and North Branch Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Anthony C. Simpson, Franklin J. Schoch, Philip Helbich, Jacob G. L. Shendel, Miller H. Cooke, Thomas Bower, Dr. Isaac Hottenstein, Moses Specht, Jonas Trexler, Samuel Alleman, of the county of Snyder, and Joseph Bird, Mark B. Priestly and Dr. Joseph Priestly, of Northumberland, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name of the Selinsgrove and North Branch Railroad Company, with all the powers and subject to all the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand

Corporators.

Name.
Subject to.

eight hundred and forty-nine, and the several supplements thereto, and shall be entitled to all the rights conferred by all the general laws of this commonwealth relating to railroad companies.

SECTION 2. That the capital stock of the said company shall be two hundred thousand dollars, of shares of fifty dollars each, with the privilege of increasing the same, by a vote of a majority of the directors, to any sum, not exceeding five hundred thousand dollars; and the said company are hereby authorized to borrow any sum of money, not exceeding one million of dollars, and to issue bonds therefor, with or without interest coupons attached; and the directors of said company are hereby authorized to give to such bonds, or to such as they may from time to time deem necessary to issue, such preference or security, by mortgage or otherwise, on the whole or such part of said railroad, as they may deem advantageous: *Provided*, That no bonds shall be issued for a less sum than one hundred dollars, and that the rate of interest shall not exceed seven per centum in gold.

SECTION 3. That said company shall have the right to build and construct a single or double track railroad from Selinsgrove to Northumberland, or to Sunbury, or to any point between Northumberland and Sunbury, and also from Selinsgrove to Port Trevorton, in the county of Snyder, should they deem best to do so, and to connect, or cross on grade or otherwise, with any railroad now built or being built or hereafter to be built, and with the right to construct branches or lateral roads from any of the points hereinbefore named, not exceeding thirty miles in length, and with the right to put up and operate telegraphic lines.

SECTION 4. That the number of directors of the said company shall be five.

SECTION 5. That whenever five miles or more of said railroad shall be completed the company may use and enjoy the same, as fully and with the same powers and privileges as if the whole was completed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 462.

An Act

To vacate a portion of North street, in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of North street, in the Seventeenth ward, city of Pittsburg, ten feet in width, and extending along the northerly line of the same from Fortieth street to what was formerly known as the old borough line of Lawrenceville, a distance from Fortieth street eastwardly of about five hundred feet, be and the same is hereby vacated, in order to make North street a uniform width of forty feet from Fortieth to Forty-fourth streets; and that the ten feet hereby vacated be re-occupied by the lot owners abutting thereon, as fully as if the same had not been laid out as a part of said street: *Provided however,* That before this act goes into effect the select and common councils of the city of Pittsburg shall give their assent to such vacation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 463.

An Act

To incorporate the Mount Joy and Manheim Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John K. Rohrer, Andrew Brubaker, John Hildebrand, George Eby, Stephen Grissinger, G. R. Hendrickson, Henry E. Leman, Benjamin M. Greider, Jesse Kennedy, Henry S. Stauffer, John Metzler, Martin Hildebrand, Joseph Detwiler, J. M. Dunlap, Jeremiah Hahn and Henry Martin, or any five (5) of them, be and they are hereby appointed commissioners.

to open books, receive subscriptions and organize a company, by the name, style and title of the Mount Joy and Manheim Turnpike Road Company, with power to construct a turnpike road from a point at Manheim street, on the line of the borough of Mount Joy, in the county of Lancaster, upon and over the old Marietta and Manheim road, to the line of the borough of Manheim; also to construct a branch thereof from a point at Barbara street, on the line of the aforesaid borough of Mount Joy, upon and over the old Manheim road, to its intersection with the said Marietta and Manheim road; and another branch thereof from a point on lands of Henry E. Leman, over an old Colebrook road, to a point on another road leading from Colebrook to the Lancaster turnpike, on lands of David Miller and Christian Good, near the mansion house of the said David Miller; and to change the bed or beds of the said old Marietta and Manheim road, and the said Manheim and Colebrook roads, and to run a new line or lines, by a new route or routes, for said road and branch and branches, where it may be expedient, subject to all the provisions and restrictions, and with all the powers and privileges contained in the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except that portion of section eighteenth of said act, which fixes the width of the artificial road, and rise or fall or grade thereof, which said portion of said section eighteen is hereby repealed in so far only as the same would apply to the construction of said road and branch or branches, and except that the said company may erect toll-gates, and collect tolls, whenever four (4) miles of their road and branch or branches shall have been completed; and that the president and managers thereof shall have power to establish and regulate the rate of tolls thereon, not exceeding fifty per centum in excess of rates established by the act hereinbefore mentioned; and any one or more of them are hereby authorized, empowered and allowed, in their individual capacity, to be interested in, and contract with the said president and managers for the construction of, and furnishing materials for the construction of said road and branch or branches.

SECTION 2. That the capital stock of said company shall consist of six hundred shares, of fifty dollars each share: *Provided*, That the said company may, from time to time, by a vote of their stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the said road and branch and branches, and carry out the true intent and meaning of this act.

SECTION 3. That it shall be lawful for said company, and all persons passing over said road, to make use of any county or township, or other bridge or bridges, on the line of said road; and that the supervisor and supervisors of the township and townships through which the said road passes, are hereby required to keep and maintain the said bridge and bridges in repair as heretofore, until the completion and opening of said turnpike road; and that the court of quarter ses-

Title.
Construction of
turnpike au-
thorized.

Branches.

May change
beds of roads,
&c.

Subject to.

When gates
may be erected
and tolls collect-
ed.

Rates of toll.

Contracts for
construction of
road.

Capital stock.

May use bridges
on route.

By whom main-
tained until
completion of
road.

Court to appoint viewers to view and vacate roads rendered useless.

sions of the said county of Lancaster shall have power to appoint viewers to view and vacate such parts of public road as shall be used or rendered unnecessary by the construction of said company's road, as is provided by the road laws of this commonwealth applicable in such cases.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 464.

An Act

To allow the voters of the Twenty-second ward of the city of Philadelphia to vote on the question of granting license to sell intoxicating liquors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next annual municipal election, in the Twenty-second ward of the city of Philadelphia, and at the annual municipal election every third year thereafter, it shall be the duty of the inspectors and judges of election — said ward, to receive tickets, either written or printed, from the legal voters of said ward, labelled on the outside, license, and on the inside, for license or against license, and to deposit said tickets in a box provided for that purpose by said inspectors and judges, as is required by law, in case of other tickets received by said election; and the tickets so received shall be counted, and a return of the same made to the clerk of the court of quarter sessions of the city and county of Philadelphia, duly certified by the return judges of said ward; which certificate shall be filed with the other records of said court.

SECTION 2. It shall be the duty of the constables of the said ward to give due public notice, by printed handbills throughout the ward, of such special election above provided for, thirty days previous to the time of holding the next annual municipal election, at which time the question of license or no license will be submitted to the voters of said wards; also, thirty days' notice for the annual municipal election every third year thereafter.

SECTION 3. That in receiving and counting, and in making returns of the votes cast, the inspectors, judge and clerks of

Question of granting liquor licenses to be submitted to vote of electors.

Tickets to be counted and return made to clerk of quarter sessions.

Duty of constables.

said election shall be governed by the laws of this commonwealth regulating general elections; and all penalties of said election laws are hereby extended to, and shall apply to the voters, inspectors, judges and clerks acting at and in attendance upon the elections held under the provisions of this act.

How officers to be governed in receiving, &c., of votes.

SECTION 4. Whenever by the returns of election in the Twenty-second ward of the city of Philadelphia, it shall appear that there is a majority against license, it shall not be lawful for any license to issue for the sale of spirituous, vinous, malt or other intoxicating liquors in said ward, at any time thereafter, until at an election as above provided, a majority of the voters of said ward shall vote in favor of a license.

If majority of votes be against licenses, none to be granted.

SECTION 5. Any person who shall hereafter be convicted of selling or offering for sale in the Twenty-second ward of the city of Philadelphia, any intoxicating liquors, spirituous, vinous, malt or other intoxicating liquors, without a license, shall be sentenced to pay a fine of fifty dollars, and confinement in the house of correction or county jail, for the period of six months for the first offence, and for the second and each subsequent offence, a fine of one hundred dollars, and confinement in house of correction or county jail for the period of one year.

Sentences of persons convicted of selling without license.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 465.

An Act

To incorporate the Saint Gregory's College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Paulinus Wenkman, Edward Hipelius, Eugene Phelan, Herman Wolfe and Michael Hofmeyer, and their successors, shall be and they are hereby constituted a corporation or body politic, by the name of the Saint Gregory's College, and by that name shall have perpetual succession, and may sue and be sued, implead and be impleaded, and may purchase and hold property, whether acquired by purchase, gift or devise, and whether real, personal or mixed, and shall have all other rights belonging to similar corporations by the laws of the

Corporators.

Name. Powers and privileges.

- Income limited. state : *Provided*, The net annual income of the property of said corporation shall not exceed twenty-five thousand dollars.
- Object and purpose. SECTION 2. The object and purpose of the said incorporation is the promotion of christian and liberal education and the cultivation of the various branches of science.
- Management. SECTION 3. The entire management of the business and affairs of the corporation, and all the corporate powers hereby granted, shall be vested in a board of five trustees, who shall be members of the Benedictine Order in the United States of America ; the persons named in the first section of this act shall constitute the first board of trustees.
- May confer degrees. SECTION 4. The said corporation shall have the right to confer all the degrees in the various departments of learning and science usually conferred by universities and colleges.
- Powers of trustees. SECTION 5. The board of trustees shall have power to enact by-laws for the regulation of the business of said corporation, the studies to be pursued, and college discipline, and from time to time to fill all vacancies in the board occasioned by death, resignation or otherwise, and to prescribe the names, duties and powers of the officers, the manner of their election and term of their offices.
- Quorum. SECTION 6. At any regular stated meeting of the board of trustees a majority shall constitute a quorum for the transaction of any business : *Provided*, That it shall require the assent of a majority of the whole board to the alienation or incumbrance of the real estate of said corporation.
- Alienation, &c., of real estate. SECTION 7. The college building shall be located in the county of Elk, and the same, with the lands thereto belonging, not exceeding five acres, shall be exempt from taxation.
- Location of buildings, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 466.

An Act

To authorize the school directors of Wilmington township, Lawrence county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Wilmington township, Lawrence

county, be and they are hereby authorized to borrow two thousand dollars for school purposes, at a rate of interest not exceeding eight per centum.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 467.

An Act

Relative to water pipe, sewerage, paving streets and assessments in the city of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the petition of a majority of the owners of real estate of not less than two hundred feet of street front, by themselves, attorneys or legal representatives, council is hereby authorized and required forthwith to provide by ordinance, for paving streets, laying water pipes and constructing sewers in any street or alley, or any part thereof, in accordance with the terms of such petition, and of such dimensions, as to water pipes and sewers, as in its judgment may be deemed sufficient for the wants of the petitioners aforesaid; and said council immediately after making provision for laying such pipes or sewers, and paving streets, shall order a survey and estimate of the cost of purchasing and laying such pipes or sewers, and paving such streets, to be made, then proceed by ordinance to assess, levy and collect a tax upon all the real estate over or through which water pipe or sewer or street is proposed to be laid, sufficient in amount to pay the cost thereof, which said tax shall be collected as water taxes are by law directed to be; and a lien against delinquents is hereby authorized to be recorded, according to section eleven of the act of March nineteenth, one thousand eight hundred and sixty, incorporating the city of Harrisburg: *Provided,* That the owners of property upon which said assessment has been made and paid, shall have the right to tap or make connection with said sewers or water pipes without charge or permits; the form of which permits, and the manner of issuing the same, shall be prescribed by council; and said city shall provide and pay for all inlets to sewers and for stops,

Council may provide for paving, laying pipes, &c., on petition of owners.

Shall order survey and estimate.

May levy and collect tax on property.

Tax to be a lien.

Proviso.

Sewers for general drainage.

and other necessary fixtures to water pipes, in the streets or alleys, out of the general fund of said city, in the ordinance providing for the improvement prayed for in said petition; and all sewers of large dimensions, intended for general drainage, may be ordered by said council; and it is hereby authorized to levy and collect an assessment or proportion of the costs of the same, as in its judgment may be equitable, upon the owners of abutting properties, through, over or opposite which said drainage sewer for general purposes passes, according to the benefit which accrues to each property by reason of such improvement; and all appeals from such assessment shall be heard before a special committee of council, who shall make report to council, which said council shall adopt or reject it at the same meeting at which such report is presented.

Council may borrow money.

SECTION 2. For the purpose of giving effect to the ordinances of the council of the city of Harrisburg, and the several supplements to the charter of said city, relative to opening streets, paving streets, constructing sewers, and laying water pipes, said corporation are hereby authorized and empowered to borrow money on the issue of bonds at par, bearing six per centum interest, redeemable in three years after date, or earlier, at the option of said city, if the duplicates of assessments authorized to be made and collected under this act, are collected and paid into the treasury; and no bond shall be issued or signed by any officer of said city until all the requirements of the provisions of this act relative to opening streets, paving, sewers and water pipes, are fully complied with; and any assessment laid upon property for opening streets, paving streets, constructing and laying sewers or water pipes, remaining unpaid for two years after the date of said assessment or completion of the work for which it was authorized, shall be subject to an interest of six per centum thereafter until it is paid, and shall be collected as other debts due said city are collected under section eleven, act of March nineteenth, one thousand eight hundred and sixty, incorporating the city of Harrisburg; and the bonds of the loan hereby authorized shall be known as "improvement bonds;" and the money derived from the sale of bonds shall not be applied to any other purpose than that for which the said bonds were issued; and before any bonds hereby authorized to be issued in this act are issued, they shall be signed and issued as other bonds are authorized to be by the acts of general assembly relative to the borough and city of Harrisburg.

Interest on unpaid assessments.

Five per cent. of income from water works to be a sinking fund.

SECTION 3. That for the purpose of creating a sinking fund for the redemption of the indebtedness of the city, five per centum of all the income from the water works shall be set apart for that purpose; and whenever such reserve shall reach the sum of two thousand dollars, council shall, by ordinance for that purpose, give notice that the city treasurer is prepared to receive proposals for the redemption of the bonds to that amount, to be awarded to the lowest bidder, and shall thereafter continue so to redeem said indebtedness with each two thousand dollars so coming into said city treasury: *Provided*, That a separate and distinct account shall

Proviso.

be kept of this fund, which shall be examined on the first Monday of January and July, in every year, by the president of council, the mayor of said city, and one freeholder, to be appointed for each year by the council, which examiners shall report to council, at its next meeting, a statement of the fund; and all bonds purchased shall be cancelled and filed away, to be destroyed, by ordinance of council, once within every three years, and a statement of the number and amount of each bond so destroyed published as city ordinances are required by law to be.

SECTION 4. All laws, or parts of laws, inconsistent herewith, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 468.

An Act

To repeal an act, entitled "An Act to legalize the incorporation of the West Greenville Academy, and the election of officers for said corporation," approved the third of March, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to legalize the incorporation of the West Greenville Academy and the election of officers for said corporation," approved the third day of March, eighteen hundred and seventy-one, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 469.

An Act

To incorporate the Loan Bank of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Marshall, Samuel M'Elhany, Nathan Broukaw, William Laufman, Robert M. Snodgrass, George F. Morgan, Joseph S. Pearson, George W. Wilson, U. C. Dean, Joseph A. Butler, Charles H. Read, James A. Toner, George B. Marshall and James T. Wray, and their successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Loan Bank of Pittsburg, with the powers and privileges, and to be governed by the rules and provisions established by law relative to banks in this commonwealth, so far as applicable to the objects of this institution; it shall not be a bank of discount or issue, and shall loan on security of goods and chattels and real estate only.

Corporators.

Powers and privileges.

Capital stock.

May borrow money.

Amount required to be paid.

SECTION 2. The capital of said bank, to be raised by subscriptions, shall not exceed one hundred thousand dollars, in shares of twenty-five dollars each; it shall have the power of borrowing on its own notes, not exceeding the amount of its capital paid in, and for periods not exceeding one year.

SECTION 3. When twenty thousand dollars have been duly subscribed, and ten thousand dollars thereof actually paid in, the stockholders may organize and proceed to business under this charter.

SECTION 4. When the bank has disposable funds it shall loan on all goods and chattels offered, embraced within its rules and regulations, in the order in which they are offered, with this exception, that the bank may always discriminate in favor of small loans to the indigent; it shall loan to four-fifths of the appraised value on gold and silver plate and ware, and two-thirds of such value on all other goods and chattels as aforesaid.

May discriminate in favor of small loans.

SECTION 5. The government of the bank shall be in seven directors, six of whom shall be chosen annually, in October, by the stockholders, and one shall be annually appointed by the mayor of the city of Pittsburg, and the board, thus created, shall elect one of their number president, and such other officers as may be deemed necessary.

Officers.

SECTION 6. All loans secured on personal property shall be on a time fixed and not over one year, and the pawner shall have a right to redeem, at any time within the specific period, on payment of the loan and rate of compensation to time of offer to redeem.

Loans shall not be made for more than one year.

SECTION 7. If the said personal property pledged is not redeemed within the time limited, the same shall be sold at public auction; and the net surplus of all sales, both of real and

Pledged property to be sold.

personal property, after paying loan charges and expenses of all kinds, shall be held one year for the owner; if not then called for the same shall go into a fund for the year when the entire forfeiture takes place, called the profit and loss fund.

SECTION 8. All losses on loans, from failure of title or other cause, shall be satisfied from the said profit and loss fund. Losses.

SECTION 9. The net balance of said fund, at the end of each year, shall be made up annually, to the first day of January, and be doled in fuel for the needy, under the direction of the board, during the months of January, February and March. Net balance to be distributed.

SECTION 10. The bank shall give to each borrower a card, inscribed with the name of the bank, the property in which the loan is secured, the name of the borrower, the amount of the loan, the rate of compensation, the date when made, the date when payable, and the page of the book where recorded. Bank to give card to borrower

SECTION 11. The whole sum earned each year shall be duly disposed of at the end of the year; the earnings to be divided among the stockholders shall never exceed twelve per centum per annum; and the balance, if any, shall go into said profit and loss fund, and be distributed in charity, as hereinbefore provided. Dividends.

SECTION 12. Loans may be made on unincumbered productive real estate within the commonwealth, preference being given to small loans; and no loan upon real estate shall exceed one thousand dollars, and the rate of interest thereon may be eight per centum per annum, or less. Loans on real estate.

SECTION 13. In the case of any and all sales by the bank of the security for any loan, under a power of sale, mortgage or other conveyance providing for a public sale of the same, to satisfy the terms of the loans, the averment by the bank in its deed of the premises, that the borrower had neglected or refused to fulfill the conditions of the loan, or some of them, and notice of the time and place of sale had been duly given, and that all the terms and conditions on which the right of the bank to sell and convey the same depends, had been fully and faithfully complied with, shall be final and conclusive evidence of these facts, as between the borrower and all third persons claiming said premises by, through or under said bank; but if any such averment shall be untrue, the borrower may have his action against said bank, and may recover all damages he may have suffered thereby. Statements in conveyances made by bank to be conclusive evidence of the facts.

SECTION 14. All loans shall be made upon a time fixed; but where the loan is secured by real estate, the borrower shall have the privilege of paying off the loan, in whole or in part, at any time before the time so fixed for payment; interest to be charged only on the sum due and unpaid. Loans to be made on fixed times.

SECTION 15. Any duty, liability, right, power, privilege, immunity or disability granted herein, or imposed on the borrowers or bank, shall be deemed granted to or imposed on the legal representatives of said parties respectively. Representatives of borrowers.

SECTION 16. The president and directors of said bank shall, annually, report to the bank commissioners full and accurate statistics of the operations and conditions of said bank, in the month of October in each year. Annual reports.

By-laws. SECTION 17. The stockholders of said bank may establish such by-laws, rules and regulations, for conducting the business of said bank, as they may deem necessary, not inconsistent with the laws of the commonwealth.

Transfers of stock. SECTION 18. The stock of said bank shall be transferable only at said bank, and on its books.

May loan on state or national securities. SECTION 19. The Loan Bank of Pittsburg is hereby authorized to loan, on pledge of bonds and other securities of the United States and of this commonwealth, and it shall be lawful to loan on the same to four-fifths of their appraised value.

Stock may be appropriated to pay materials, labor, &c. SECTION 20. That said bank may declare fully paid up, and not subject to future calls, so much of the said stock as may be appropriated to the payment of materials furnished, labor performed or to be performed, expenses incurred, and in payment of grounds and buildings purchased or leased.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 470.

An Act

To incorporate the Bethlehem Trust and Safe Deposit Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That G. B. Linderman, Samuel C. Shimer, Charles Brodhead, James L. Selfridge, Henry Seaman and Samuel Reigel be and they are hereby incorporated as a body politic and corporate, under the name, style and title of the Bethlehem Trust and Safe Deposit Company, to be located in the borough of Bethlehem, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

Business. SECTION 2. That the said corporation shall have power to receive upon deposit, for safe keeping, jewelry, plate, stocks, bonds and valuable property of every kind, upon terms to be prescribed by the by-laws of such corporation, and in addition to receiving the above deposits, the said corporation shall have power to receive and hold on deposit and in trust, as security, guardian, trustee or executor, or otherwise, on such terms as may be agreed on between the contracting parties,

estate, real or personal, and shall have power to dispose of the same by sale, lease or otherwise, according to the terms of said agreement; and also to purchase, collect, adjust, settle, sell and dispose of notes, bonds, obligations and accounts of states, companies, corporations, executors, guardians, administrators and individuals, in any place, without proceedings in law or equity, or on such terms as may be agreed on between this company and the parties contracting with it.

SECTION 3. The capital stock of the said company shall be two hundred and fifty shares, of one hundred dollars each, with power to increase the same to one thousand shares, of one hundred dollars each; the board of directors shall consist of not less than three nor more than thirteen, at the option of the stockholders; and the persons above named shall be the first board of directors, and they and all subsequent boards shall continue in office until their successors are elected, at such times as the stockholders at their meetings shall direct; and such directors may and they are hereby authorized and empowered to have and to exercise, in the name and in the behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to; which liabilities are no more than for the payment to the company of the sums due, or to become due, on the shares of the stock of the company held by them.

SECTION 4. The said company shall pay to the state treasurer, for the use of the state, a bonus of one-half of one per cent. on the capital stock of said company, or any increase thereof, payable in four equal annual instalments.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 471.

An Act

In relation to a change of venue in the case of the commonwealth of Pennsylvania vs. Henry Ward, from the courts of Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the venue in the case of the commonwealth of Pennsyl-

vania vs. Henry Ward, in which said Ward is charged with the homicide of one Wesley E. Shader, now pending in the court of quarter sessions of the peace of Bradford county, may, should the grand inquest of said county return a true bill against said Ward for any grade of homicide, be, on the application of said Ward, his agent or attorney, changed and removed, according to the nature of such finding, either to the court of quarter sessions of the peace, or to the court of oyer and terminer of any adjoining county to said Bradford: *Provided*, That before said venue shall be so removed, the said Ward, his agent or attorney, shall first take and subscribe an oath or affirmation, to be filed of record in said case, that such removal is not made for the purpose of delay, but because he firmly believes a fair and impartial trial cannot be had in the said Bradford county; and upon the making and filing of such oath or affirmation, it shall be lawful for the president judge of said court of quarter sessions of the peace of said Bradford county, or of the court of oyer and terminer of said county, if, in his judgment, for any cause, a fair and impartial trial cannot be had in the said county of Bradford, to remove the same into the court of quarter sessions of the peace, or of the court of oyer and terminer, of any adjacent county named or fixed by the said president judge holding the courts of said Bradford county; and thereupon it shall be the duty of the said court of quarter sessions of the peace of said Bradford county, or of the court of oyer and terminer of said county, to certify said case according to the nature of the finding of said grand inquest, either to the court of quarter sessions of the peace, or to the court of oyer and terminer of such adjoining county, as said president judge shall direct; and the said court to which said case shall be removed and certified for trial, as aforesaid, shall fix and appoint a time for the trial of said case, at some regular or adjourned term of said court, and shall forward to the clerk of the quarter sessions of the peace of said Bradford county, to be filed of record in said case, a certified copy of the decree or order fixing the time of said trial; and the court to which said case shall be so removed shall have power to continue the trial of the same from time to time, upon due cause shown; and when such application shall be made, and such removal shall be certified as above provided, said Ward shall enter into recognizance in said court of quarter sessions of the peace, or in said court of oyer and terminer of said Bradford county, with sufficient sureties, and in such sum as said court shall require, conditioned for his appearance before the court to which said case shall be removed, at any time which said last mentioned court may fix for the trial thereof; which said recognizance shall be and remain valid and in full force and effect, and without any renewal thereof, until said case shall be fully and finally tried and ended or disposed of; and should such recognizance be forfeited, proceedings to recover the same may be brought, and final judgment be taken therein, in the proper court of said Bradford county; nothing, however, herein contained shall be construed to prevent the judges of said courts of said Bradford county from refusing bail in said case, if, in their opinion,

bail ought to be refused; and in the event of such refusal, they shall commit said Ward to the jail of said Bradford county, there to remain until he shall be taken for trial to the county to which said case may have been removed, or until he shall be otherwise discharged by law; and in the event of the refusal on the part of said judges of the said court of said Bradford county, and the continuance of the trial of said case in the county to which the same may be removed, it shall be the duty of said last mentioned court, and the judges thereof are hereby authorized so to do, to remand said Ward to said jail from time to time, as the case may require, but in no event shall he be imprisoned in the jail of the county to which said case may be removed, except during the intermissions of said trial, and this only after a refusal to receive bail as aforesaid; and should such case be removed to any of the adjoining counties, it shall be tried in such county, and verdict, judgment and sentence, and all other proceedings be had therein, with the same force and effect as if it had been tried in said county of Bradford; and said court to which said case may be removed shall have the same power to grant a new trial therein as in other cases; and after the certificate for such removal shall be made, all the records in the case shall be certified and transferred by the clerk of said court of quarter sessions, or of said court of oyer and terminer, of said Bradford county, to the said court to which said case may be removed; and all expenses incurred by the county to which said case may be removed shall be paid by said Bradford county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 472.

An Act

To incorporate the Iron Bank of Phoenixville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Guffen, E. F. Pennypacker, Henry A. Hunsicker, Nicholas Bean, M. C. Pennypacker, Edwin M. Supplee, W. Painter, J. H. T. Jackson, D. R. Walker, George W. Downing, J. H. M'Keehan, Franklin Dundon, B. K. Kehler and

Corporators.

their associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Iron Bank of Phoenixville, to be located in Phoenixville, and by that name shall have perpetual succession, and may sue and be sued, implead and be impleaded in any court whatsoever, may have a common seal, may renew or alter the same; also may have the right to own and hold real estate and improve or dispose of the same at pleasure.

Name.
Location.
Privileges.

Capital stock.

SECTION 2. The capital stock of said bank shall be fifty thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, to be divided into shares of fifty dollars each, which shall be paid in such instalments as the said corporation by their by-laws: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Proviso.

Amount of
stock to be paid
in.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient, and when fifty thousand dollars of said stock shall have been subscribed and paid in, the shareholders may elect a president and seven directors, to serve until the next annual election or until their successors shall have been duly elected or qualified; vacancies arising from death, resignation or inability to serve to be filled by the board.

Officers.

Business.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, at legal rates, and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estate, real or personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market in the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Directors may
make by-laws
and require
payments.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or United States, and shall have power to require payments of any amount remaining unpaid in the stock of said bank, at such times and in such proportion as they think proper, and after thirty days' notice, under penalty, in case of non-payment, as required, of forfeiture to the bank of such stock and all previous payments thereon.

Additional
privileges.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest, as shall be agreed upon by the depositors, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading,

stock and bonds of all companies, states and of the United States, or other good and sufficient securities.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city government and counties and districts in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of duties if required. May become financial agent.

SECTION 8. The board of directors shall have power to declare and pay dividends, out of the earnings of the bank, to the stockholders, at such times and in such amounts as to them may seem proper. Dividends.

SECTION 9. The annual elections for president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of and five days prior to the election for which said proxy was given; five days' notice, by publication in one or more of the city papers, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws. Election of officers.

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; and this charter shall continue for twenty years. Bonus.

SECTION 11. That the stockholders of said bank shall be individually liable to an amount equal to treble the amount of stock held by them respectively. Liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 473.

An Act

To incorporate the Renovo Industrial Co-operative Association, number one, in the borough of Renovo, Clinton county, for mercantile purposes.

Corporators.

Name.

Powers and
privileges.

Capital stock.

Business.

Amount re-
quired to be sub-
scribed and
paid.

Officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Shindler, W. H. Messenger, J. H. Travis, S. Bennett, M. D. Fishel, Jesse Rutledge, Senior, and their associates, and such persons as shall become stockholders, be and the same are hereby made and constituted a body corporate and politic, by the name of the Renovo Industrial Co-operative Association, number one; and by the said name they and their successors shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with relation to the business and objects of the said corporation as hereinafter declared; and they and their successors may have a common seal and may change and alter the same at pleasure, and shall have power to purchase, rent or lease such real estate as may be necessary for the purpose of carrying on the business of the association, and in their corporate name to make and execute deeds of conveyance and other instruments of writing, necessary in the transactions of the association.

SECTION 2. The capital stock of the association shall be thirty thousand dollars, which may be divided into shares of five dollars each, for which certificates may be issued, signed by the president and countersigned by the treasurer, and sealed with the common seal of the association; which certificate shall be transferable by the owner thereof, or by attorney duly authorized for that purpose, in the presence of the secretary and by consent of a majority of the board of directors, in books to be kept for that purpose; and no person shall hold more than one hundred shares in the said association.

SECTION 3. That the association shall have power, through its duly authorized agents, to carry on the business of general dealers, both wholesale and retail, to buy and sell all kinds of goods, wares, merchandise, produce, provisions, lumber, fuel, and such other articles as may be necessary to carry on the business of general dealers, and to receive and sell goods on commission.

SECTION 4. That when the sum of fifteen thousand dollars shall have been subscribed to the capital stock of said association, and not less than seven thousand dollars paid in cash, there may be an election held by the stockholders for thirteen directors, who shall serve for the period of one year, of which election three weeks' public notice shall be given; said directors shall elect one of their number president, who shall

serve one year; the other officers of the association shall consist of a treasurer and secretary, who shall be elected by the stockholders, and whose duties may be prescribed by the constitution and by-laws of the association.

SECTION 5. That the place of business of the association shall be in the borough of Renovo, in the county of Clinton; and the stockholders and directors shall have power to adopt a constitution and by-laws, not inconsistent with the laws of this commonwealth, and may alter or amend the same from time to time; and the stockholders shall have power to declare dividends of the net profits of the corporation as to them shall appear advisable, on the first day of January in each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

SECTION 6. That the stockholders of the association shall be jointly and severally liable, in their individual capacity, for all debts and contracts made by the said association, to the amount remaining unpaid on each share of stock held by them respectively; and also for all debts due mechanics, workmen and laborers employed by, and for materials furnished to said association, to be sued for and collected as provided for by the twelfth, thirteenth and fourteenth sections of an act to incorporate the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 7. That the said association shall pay a bonus to the state of one half of one per centum on their capital stock paid in, in four equal annual instalments, the first to be made within one year from the passage of this act.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 474.

An Act

To regulate the taking of game in the townships of Little Beaver and North Beaver, in the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person or persons who may shoot or otherwise kill or destroy any grouse, pheasant, quail or Virginia partridge,

Penalty for taking game out of season.

or any fox or gray squirrel or rabbit, in Little Beaver or North Beaver townships, in the county of Lawrence, state of Pennsylvania, between the first day of January and the first day of December, in any year, shall be subject to a fine of five dollars for each and every bird or squirrel or rabbit so shot or otherwise killed or destroyed, to be collected as is provided in sections nine and ten of the act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine.

Repeal.

SECTION 2. All acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 475.

A Further Supplement

To an act, entitled "An Act to incorporate the Chartiers and Robinson Township Turnpike Road Company," approved the nineteenth day of March, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Chartiers and Robinson Township Turnpike Road Company shall have power, and are hereby authorized to take and receive of and from every person or persons using or passing over said road, the tolls and rates hereinafter mentioned, that is to say: for every score of hogs or sheep, five cents; for every score of cattle, eight cents; for every horse and rider, or led horse, three cents; for every vehicle, with one horse attached, five cents; for every vehicle, with two horses attached, eight cents; for every vehicle, with three horses attached, ten cents; for every vehicle, with four horses attached, fifteen cents; and for every additional horse, more than four, attached to any vehicle, three cents.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 476.

An Act

To incorporate the city of Wilkesbarre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* Corporate name
That the borough of Wilkesbarre, in the county of Luzerne, as now incorporated, and all of the township of Wilkesbarre, in said county, lying on the westerly side of the Empire road, projected northerly to the township line of Plains, and southerly to the township line of Hanover, be and the same are hereby constituted a city, by the name, style and title of the city of Wilkesbarre, and by said name shall be hereafter designated; and the inhabitants thereof by the same name are hereby constituted a body corporate and politic, with all the incidents of a corporation.

SECTION 2. The limits and boundaries of the said borough of Wilkesbarre, and the portion aforesaid of the township of Wilkesbarre, shall be and remain the limits and boundaries of the city of Wilkesbarre. Limits.

SECTION 3. That the territory included within the boundaries of the city shall be divided into fifteen wards, in the manner following, to wit: First ward, beginning at the mouth of Mill creek; thence up the same easterly to Main street; thence along Main street south-westerly to North street; thence along North street north-westerly to the Susquehanna river; thence up the same to the place of beginning. Second ward, beginning at the crossing of Mill creek, by Main street; thence along said Main street south-westerly to North street; thence along North street and the Parsons road easterly to line of lots numbers forty-three and forty-four of the Third division; thence along the same south-easterly to the line of the Empire road projected north-easterly; thence north-easterly, on the line of the said road, to Plains township line; thence along the same to the place of beginning. Third ward, beginning on Market street, at the Lehigh Valley railroad; thence along said street south-easterly to the line of the Empire road aforesaid; thence along the same north-easterly to the line of lots numbers forty-three and forty-four of the Third division; thence along the same north-westerly to the Parsons road; thence along the said road westerly to the Lehigh Valley railroad; thence along said railroad south-westerly to the beginning. Fourth ward, bounded north-east by North street, south-east by Main street, south-west by Market street, and north-west by the Susquehanna river. Fifth ward, bounded north-east by North street and the Parsons road, south-east by the Lehigh Valley railroad, south-west by Market street, and north-west by Main street. Sixth ward. Number of wards.
First ward.
Second ward.
Third ward.
Fourth ward.
Fifth ward.
Sixth ward.

- ward, beginning on Market street, at the Lehigh Valley railroad; thence along said street and its extension, in a straight line, to the Empire road aforesaid; thence along the same south-westerly to the line of Northampton street; thence along the same north-westerly to the said railroad; thence along said railroad north-easterly to the beginning.
- Seventh ward, bounded north-easterly by Market street, south-easterly by Main street, south-westerly by South street, and north-westerly by the Susquehanna river. Eighth ward, bounded north-easterly by Market street, south-easterly by the Lehigh Valley railroad, south-westerly by South street, and north-westerly by Main street. Ninth ward, beginning on South street, at the Lehigh Valley railroad; thence along South street and its extension, south-easterly to the line of the Empire road aforesaid; thence along said Empire road north-easterly to the intersection of the extension of Northampton street; thence along said Northampton street north-westerly to the Lehigh Valley railroad; thence along said railroad south-westerly to the beginning. Tenth ward, bounded north-easterly by South street, south-easterly by Main street, southerly by Academy street and its extension to the Susquehanna river, and northerly by said river. Eleventh ward, bounded north-easterly by South street, southerly by Lehigh and Susquehanna railroad and Dana street, and north-westerly by Main street. Twelfth ward, bounded northerly by Academy street and its extension to the Susquehanna river, easterly by Main street, southerly by the Hanover township line, and westerly by the Susquehanna river. Thirteenth ward, beginning at the intersection of lots numbers twenty-six and twenty-seven of the Third division, at Main street; thence along said lot line south-easterly to the Empire road aforesaid; thence along said Empire road north-easterly to South street, extended in a direct line north-westerly along South street to the Lehigh and Susquehanna railroad; thence along said railroad westerly to Dana street; thence along said Dana street north-westerly to Main street; thence along Main street south-westerly to the beginning. Fourteenth ward, bounded north-easterly by lot number twenty-seven of the Third division, south-easterly by the Empire road, south-westerly by lot number twenty-three, and north-westerly by Main street. Fifteenth ward, bounded north-easterly by lot number twenty-four of the Third division, south-easterly by the Empire road, south-westerly by the township line, and north-westerly by Main street.
- Qualified voters

SECTION 4. That the citizens of said city who are otherwise qualified voters under the laws of this commonwealth, and who shall have resided within the bounds of said city at least six months immediately preceding the election, and within two years paid a borough, city or township tax, shall meet together at the places for holding elections, hereinafter designated, in their respective wards, on the first Tuesday in June, one thousand eight hundred and seventy-one, and on the first Tuesday in May, and annually thereafter, between the hours of eight o'clock A. M., and six o'clock P. M., and elect one citizen, who shall have been for at least three years a resident

of the borough or township of Wilkesbarre, and who shall be qualified to serve as a senator of the commonwealth, to be mayor, who shall serve for three years, and one person to be high constable of the city, to serve for one year, and three persons to be auditors, one of whom shall serve for one year, one for two years and one for three years; and the qualified electors of each of said wards shall at the same time and place elect one citizen, a resident of the respective wards, possessing qualifications for assemblyman, for councilman, five of whom shall serve for one year, five for two years and five for three years, the length of term to be determined by lot among the persons so elected after the election; and every year thereafter, one person in wards where a vacancy occurs, to fill such vacancy; and the president judge of the court of common pleas of Luzerne county shall, on Friday succeeding said election, and on Friday succeeding said election every third year thereafter, appoint six persons, who shall be citizens of said city, as additional councilmen, who shall serve for three years; and said judge shall have authority to fill any vacancy that may happen in such number; and the twenty-one persons so elected and appointed shall be the city council: *Provided*, That no compensation shall be allowed or paid to any member of the council, all of whom shall hold their respective offices until their successors shall be chosen, or appointed and qualified; and from and after said election, the powers, offices and duties of the burgess, auditors, high constable and council of the borough of Wilkesbarre, and those of the several officers by them appointed, shall cease and expire, except as hereinbefore and hereinafter provided; and said election and all subsequent city elections shall be governed, as to the manner of holding the same, by the laws of this commonwealth regulating township elections; and the first election shall be holden by judges and inspectors appointed by the president judge of the court of quarter sessions of Luzerne county, at least ten days before said first election, who is hereby authorized and required to appoint the same; the places for holding the election shall be as follows, to wit: For the First ward, at the school house on Cartright avenue; for the Second ward, at the house of Edward Boyle, on Parsons road; for the Third ward, at Neal M'Cabe's hotel, on Market street; for the Fourth ward, at the Luzerne house; for the Fifth ward, at the Exchange hotel; for the Sixth ward, at the house of James Peoples, on Market street; for the Seventh ward, at the engine house on South street; for the Eighth ward, at the Bristol house; for the Ninth ward, at the house now occupied by Daniel Shovlin, on Northampton street; for the Tenth ward, at the house of M. Andes, on River street; for the Eleventh ward, at the engine house on Cinderella street; for the Twelfth ward, at the school house on Oregon street; for the Thirteenth ward, at the house of Patrick M'Grath, on Lehigh street; for the Fourteenth ward, at the school house on Parish street; for the Fifteenth ward, at the school house on Blackman's road.

Mayor.
Constable.
Auditors.

Councilmen.

Terms.

Judge to appoint additional councilmen and fill vacancies.

Proviso.

Judge to appoint election officers.

Places of voting.

Powers of council.

SECTION 5. That the legislative powers of said city and corporation shall be vested in the city council thereof, and a

majority of the members being present shall constitute a quorum for the transaction of business; the city council shall choose annually one of their number to preside at their deliberations, who shall vote as other members; and no act, by-law or ordinance shall be valid, unless passed by a majority of the members present, legally assembled.

Mayor to sign ordinances approved.

SECTION 6. Every bill which shall have passed the council, shall, within three days, be presented to the mayor, who shall, if he approve, sign the same; if he shall not approve, he shall return it with his objections to the council, who shall enter the objections at large upon its minutes, and proceed to reconsider it, when, if two-thirds of that body shall agree to pass the same, it shall become a law; but in all cases the votes of the council shall be by yeas and nays, and the names of the persons voting for or against the bill shall be entered on the minutes of the council; if any such ordinance or by-law shall not be returned by the mayor, at the next stated meeting of the council after it shall be presented to him, the same shall be of force in like manner as if he had signed it.

Proceedings when not approved.

Council to appoint police.

SECTION 7. The council shall appoint all police officers in said city, the number to be fixed by the council; the said council shall at its first annual meeting, and annually thereafter, choose by vote, taken *viva voce*, a city treasurer, to serve for one year, who shall give a bond in the sum of not less than twenty thousand dollars, with security to be approved by the president judge of the court of common pleas of Luzerne county.

Meetings of council.

SECTION 8. That stated meetings of the council shall be holden for the transaction of business once each month, and as often, and at such place in said city, as shall be provided by the ordinances thereof; and the doors of the hall of the said council shall be open for the admission of all orderly and peaceable citizens who may choose to attend the sessions thereof; and the said council may provide by ordinance for the punishment, by fine, of any person or persons who shall, by any disorderly conduct, disturb the sessions, and the council may expel such person or persons from the hall and its sessions.

Council shall appoint a clerk.

SECTION 9. That said council shall appoint a clerk, who shall make and keep a full record of its proceedings, recording the names of the members present; and all the ordinances, by-laws, rules and regulations of said council shall be signed by the mayor and the president of the council, and attested by the clerk, and published in one or more of the newspapers of said city, and recorded within thirty days after the passing thereof, in a book to be provided for that purpose by said corporation, and to be kept by the mayor; otherwise the same shall not be valid; nor shall any ordinance, by-law, rule or regulation be in force until it shall be so recorded and published; and said book shall be kept for the inspection, without charge, of all persons interested; and the said record shall be deemed and taken as sufficient evidence of the passing and publication of all such ordinances, by-laws, rules and regulations.

Duties.

Ordinances, &c., to be recorded and published.

Records to evidence.

SECTION 10. That all and singular the acts of assembly re-

specting the borough of Wilkesbarre, and the ordinances, by-laws, rules and regulations of the same, as they existed at and immediately before the passage of this act, except in so far as the same are hereby altered, repealed or supplied, shall be and remain in force in said city in the same manner, and with the same effect, as if this act had not been passed: *Provided*, That the said ordinances, by-laws, rules and regulations shall, within four months after the passage of this act, be recorded and published as aforesaid.

Acts relating to
Wilkesbarre
borough.

SECTION 11. That the mayor shall have the jurisdiction of and power, and it shall be his duty, to try and determine all actions, fines, penalties or forfeitures imposed by the laws of this commonwealth relating to said city, or imposed by any of the ordinances, by-laws, rules and regulations thereof, and to issue execution to one of the constables of the said city, for the collection of any judgment in the premises, to be collected in the same manner as judgments of justices of the peace, founded on trespass or trover, are now by law collected; and the constable to whom such execution may issue shall be liable thereon, in the same manner as if founded on such judgment in trover or trespass; and the said mayor shall also have the criminal jurisdiction of the aldermen and justices of the peace in all cases of offence, as committed in said city, and for the preservation of the peace thereof, and it shall be entitled to same fees as justices of the peace for similar services, and shall exercise all the powers which belonged to the burgess of the borough of Wilkesbarre before the passage of this act, except in so far as the same is hereby repealed.

Jurisdiction
and duties of
mayor.

SECTION 12. All the estate and property whatsoever, whether real, personal or mixed, and all choses in action, claim or demand of the borough of Wilkesbarre, are hereby vested in the corporation or body politic of the city of Wilkesbarre; and all judgments, claims or demands whatsoever against the said borough, are hereby transferred to, and shall continue and may be prosecuted against said city as fully and completely as they could have been against said borough if this act had never been passed.

Property of borough of Wilkesbarre vested in city.

SECTION 13. That the mode of enforcing payment of any judgment against said city shall be the same as it is or hereafter may be provided by law for enforcing payment of judgments against the several townships of this commonwealth.

Payment of judgments.

SECTION 14. That if any person shall think himself aggrieved by any judgment rendered against him by the mayor, or any alderman or justice of the peace of said city, such person may appeal from said judgment to the court of common pleas of Luzerne county, in the same manner and subject to the same restrictions as if said judgment had been obtained before a justice of the peace of the county of Luzerne.

Appeal from judgment of mayor and aldermen.

SECTION 15. That whenever a majority, or more, of the freeholders residing on lands adjacent to said city of Wilkesbarre desire to have the same embraced within the city limits, they shall present their petition in writing to the city council, setting forth the facts and expressing their desire to have the territory described in their petition embraced within the city limits; whereupon the council may, at its next stated meeting,

Extension of city limits.

pass an ordinance extending the boundary line of the city so as to enclose the territory so described; and the same shall thenceforth form part of the city proper, and the inhabitants thereof be entitled to all the rights, liberties and privileges of said city, and form part of the ward to which the territory is annexed.

Streets, lanes
and alleys.

SECTION 16. That before any street, lane or alley shall be opened or vacated by direction of the officers of said city, except by the consent in writing of the owners of land over which same may pass, they shall apply to the court of quarter sessions of Luzerne county, by petition, setting forth the location of said street, lane or alley, and the names of the owners of the grounds; whereupon the court shall appoint five disinterested citizens of said city, who, after giving ten days' notice, to be posted on the premises, of the time and place of meeting, to said owners, and being first duly sworn to perform their duties with impartiality and fidelity, shall proceed to view the premises described in said petition, regarding the advantages and disadvantages caused to the several properties adjoining said street, lane or alley, and shall estimate and allow all persons injured thereby such damages as they shall have sustained over and above all advantages, and also make assessments for contribution upon all such properties as shall be benefited by the opening, widening, vacating or extension of said street, lane or alley, such sums respectively as they may have been benefited over and above all disadvantages.

Aldermen.

SECTION 17. That there shall be elected one alderman in each of the wards of said city, who shall be commissioned in the same manner as justices of the peace of this commonwealth: *Provided*, That no alderman shall be elected or commissioned in the wards where a justice of the peace is now in commission in said city until the time for which such justice has been commissioned shall expire; and until such time said justice shall be taken and held to be an alderman within the meaning of this act.

Proviso.

Election officers

SECTION 18. The electors of each of said wards shall elect annually, at the usual time and place, in addition to other ward and city officers herein elsewhere provided for, one person to serve as judge of election, and two persons to serve as inspectors, in the manner now provided by law, and one person to serve as constable, who shall perform all the duties appertaining to said office.

Constable.

Council to fix
compensation of
officers.

SECTION 19. The council shall have power, and are hereby directed to fix the compensation to be paid to all officers required by this charter, or the by-laws or ordinances made in pursuance thereof, not otherwise provided by law.

Assessors to be
appointed by
president judge.

SECTION 20. The president judge of the court of common pleas of Luzerne county shall, at the April term of said court, in the year one thousand eight hundred and seventy-two, and every third year thereafter, at the said term, appoint one person to be assessor and two persons to be assistant assessors for said city, who shall hold their offices respectively for three years; and in case of vacancy by death, resignation or refusal to serve, or otherwise, the said judge shall fill the same by appointment for the unexpired term. The said assessor and

Vacancies.

his assistants shall make and return their assessments to the office of the county commissioners, as now required by law, which said assessments shall include all property subject to taxation for state, county and municipal, or other purposes, and upon which said assessments all taxes shall be levied within said city; and such assessors shall perform all duties now required by law of assessors.

Duties.

SECTION 21. That the mayor of said city shall have full power to take and receive the acknowledgment and probate of all deeds or other instruments of writing, as is now by law conferred upon justices of the peace of the several counties of this commonwealth.

Mayor may take acknowledgments of deeds, &c.

SECTION 22. That no alderman, or any person holding any office of profit under the charter, by-laws or ordinances of said city, the emoluments whereof are paid out of the treasury thereof, shall be competent to serve as a member of the city council.

Persons holding city offices ineligible for aldermen.

SECTION 23. That the mayor or alderman of said city, who shall be guilty of a misdemeanor in office, shall be liable to removal from office, upon indictment and conviction for such misdemeanor, and such removal shall be made part of the sentence of the court.

Misdemeanor in office.

SECTION 24. That it shall be a misdemeanor in office for the mayor or any member of the council to be a party, either directly or indirectly, to any contract or other transaction, the compensation for which is payable out of the city treasury.

SECTION 25. That all persons elected or appointed to any office in said city, shall, in addition to the usual oath of office, be sworn to support the constitution of the United States and the commonwealth of Pennsylvania, before entering upon the duties of said office or appointment.

Officers to be sworn.

SECTION 26. That said council shall, once in every year, caused to be published in two newspapers published in said city, a just and true abstract of the auditor's report on the accounts for the preceding year, showing the receipts, expenditures and financial condition of the city.

Financial statements to be published.

SECTION 27. The power of the corporation shall be vested in the corporate officers designated in the charter, to wit: the mayor and the city council; they shall have power—

Corporate powers.

First.—To make such laws, ordinances, by-laws, rules and regulations, not inconsistent with the laws of this commonwealth, as they shall deem necessary for the good government of said city.

Ordinances.

Second.—To lay out, survey, enact and ordain such roads, streets, alleys, courts and common sewers, as they may deem necessary, and to provide for and ordain the widening of the same.

Streets and alleys.

Third.—To prohibit the erection or other construction of any building or work of excavation, or other obstruction to the opening, widening, straightening and convenient use thereof of any road, street or alley.

Obstructions.

Fourth.—To regulate the roads, streets, lanes, alleys, courts, common sewers, foot-walks, pavements, gutters, culverts and drains, and the heights, grades, widths, slopes and forms there-

Pavements.

of; and also the paving of such streets as may be deemed advisable.

Side-walks.

Fifth.—To require and direct the grading, curbing, paving and guttering of the side or foot-walks, by the owner or owners of the lots of ground respectively fronting thereon, in accordance with the general regulations prescribed.

To grade and pave on failure of owners to comply with ordinance.

Sixth.—To cause the same to be done, on the failure of the owners thereof, within the time prescribed by the general regulations, and to collect the costs of the work and materials, with twenty per centum advance, in the same manner as is now provided for collecting the same in the borough of Wilkes-barre, the costs of building sewers included.

Party walls.

Seventh.—To make all needful regulations respecting the foundations and party walls of buildings, and respecting vaults, cess-pools, sinks, drains and partition fences.

To enter on lands, &c.

Eighth.—To enter upon the lands and premises of any person or persons for the purposes authorized by this act, by themselves and their duly appointed agents.

Horses, cattle, sheep, &c.

Ninth.—To prohibit and otherwise regulate the running at large of horses, cattle, sheep, swine, geese, dogs and other animals, and to authorize their seizure and sale for the benefit of the city.

Dogs.

Tenth.—To authorize and direct the killing of dogs running at large contrary to the regulations of the city.

Markets.

Eleventh.—To make all needful regulations respecting markets, the hawking and peddling of market produce and other articles in the city, and for the inspection and measurement of the weight of cord-wood, hay, coal and other articles sold or offered for sale in the city.

Weights and measures.

Twelfth.—To regulate, annually, the scales, weights and measures within the city, according to the standard of the commonwealth.

Nuisances.

Thirteenth.—To prohibit and remove any obstructions in the highways and any nuisance or offensive matter, whether in the highways or in public or private grounds, and to require the removal of the same by the owner or occupier of such grounds; in default of which the corporation may cause the same to be done and collect the cost thereof, with twenty per centum advance thereon, in the same manner as herein provided for the costs of pavements made by the corporation.

Offensive and dangerous trades.

Fourteenth.—To prohibit within the city the carrying on of any manufacture, art, trade or business which may be noxious or offensive to the inhabitants, the manufacture, sale or exposure of fire-works or other inflammable or dangerous articles, and to limit and prescribe the quantities that may be kept.

To regulate barns, stables, and prohibit keeping of hogs.

Fifteenth.—To make such regulations relative to accumulations of manure, compost and the like in barns, stable-yards and other places, and to prohibit the keeping of hogs within the city, or within such limits within the same as they may prescribe.

Burials.

Sixteenth.—To prohibit within the city the burial or interment of deceased persons, or within such partial limits within the same as they may from time to time prescribe, and to regulate the depth of graves.

Seventeenth.—To make such other regulations as may be necessary for the health and cleanliness of the city. Health.

Eighteenth.—To make regulations relative to the management of fires as they may deem proper, and to appropriate money for the purchase of fire engines for the use of said city and fire companies. Fire engines.

Nineteenth.—To regulate and prohibit the exhibition of plays, shows, mountebanks, jugglers and all other exhibitions within the city. Jugglers.

Twentieth.—To establish a police force to light the streets and make all needful regulations for the protection of the lamps. Police.

Twenty-first.—To impose fines and penalties and remit the same; to provide or erect a lock-up house for the temporary detention of persons committed by the proper corporate officers, or by the justices of the peace or aldermen within the city: *Provided*, That no person shall be confined within such lock-up house for a longer period than forty-eight hours at any one time. Lock-up.

Twenty-second.—To appoint and remove such officers, prescribe their duties, and allow them such compensation as they may deem necessary to secure the peace, order and well-being of the inhabitants, and to enforce the ordinances and regulations of the city. To appoint and discharge officers.

Twenty-third.—To prescribe such fees as they may think proper for the services of their officers in the adjustment of the grades, curbs, lines, party-walls, partitions, fences and the like, and to enforce the payment of the same. Fees.

Twenty-fourth.—To levy and collect annually, for city purposes, any tax not exceeding one per centum on the dollar on the valuation assessed for county purposes, as now is or may be provided by law; all property, offices, professions and persons made taxable by the laws of the commonwealth for county taxes and levies, shall be taxable, after the same manner, for city purposes: *Provided nevertheless*, That no more money shall be appropriated or applied for repairs of streets, alleys, gutters or side-walks, or for opening, widening, lighting, paving or improving streets, alleys, or for any other city purpose, except city buildings, in any ward of the city, than shall be raised by taxation of the inhabitants and property in the ward where such improvements shall be made. Taxes. Proviso.

Twenty-fifth.—To levy and collect annually a tax on the owners of dogs and bitches, not exceeding three dollars on the owner of but one dog, or five dollars on the owner of but one bitch, and to levy and collect such additional tax on the owners of more than one dog or bitch, and in such ratio of increase as they may deem proper. Tax on dogs.

Twenty-sixth.—To borrow money for the purpose of erecting city buildings, not exceeding one hundred thousand dollars, and to issue bonds therefor having not less than ten years to run, bearing interest at not exceeding eight per centum: *Provided*, That the same shall not be disposed of at less than par value, and that the said bonds shall be free from taxation, except for state purposes. Borrow money. Proviso.

First school district.

SECTION 28. The First, Second, Third, Sixth and Ninth wards, and the remaining portion of the North district of Wilkesbarre township, shall constitute an independent school district, to be called the First school district of the city of Wilkesbarre, over which the school directors now serving for the North district of Wilkesbarre township shall have control until their several terms shall expire; and whenever vacancies shall occur, an election shall be held by the citizens of the said wards and North district to fill such vacancies.

Second school district.

The Thirteenth, Fourteenth and Fifteenth wards, and the remaining portion of the South district of Wilkesbarre township, shall constitute an independent school district, to be called the Second school district of the city of Wilkesbarre, over which the school directors now serving for the South district of Wilkesbarre township shall have control until the expiration of their several terms; and whenever vacancies shall occur, an election shall be held by the citizens of said wards and South district to fill such vacancies.

Third school district.

The Fourth, Fifth, Seventh, Eighth, Tenth, Eleventh and Twelfth wards shall constitute an independent school district, to be called the Third school district of the city of Wilkesbarre, over which the school directors now serving for Wilkesbarre borough shall have control until the expiration of their several terms; and whenever vacancies shall occur, an election shall be held by the citizens of the said wards to fill such vacancies.

Election of school directors.

The election for school directors aforesaid shall be held, on and after the first Tuesday of May, one thousand eight hundred and seventy-two, at the time and place of holding the general city election; and the school directors now serving shall allot themselves, in the First district, as follows: One thereof shall represent the Ninth ward, one thereof shall represent the North district of the township of Wilkesbarre, and one each of the other wards; in the Second district, the directors shall allot themselves, one to the South district of the township of Wilkesbarre, one to the Fifteenth ward, and two each to the Thirteenth and Fourteenth wards; in the Third district, the directors shall allot themselves as follows: Two each of the Fourth and Seventh wards, and one to each of the other wards; and as vacancies occur, one director shall be elected from each ward and the North district of Wilkesbarre township; in the First district, two each from the Thirteenth and Fourteenth wards, one from the Fifteenth ward, and one from the South district of Wilkesbarre township, in the Second school district of the city of Wilkesbarre, and one from each ward in the Third school district, in the city of Wilkesbarre, so that the number of directors in the First district shall be six, in the Second district six, and in the Third district seven, after the expiration of the terms of the present directors; and each district shall be and continue an independent school district.

President Judge to appoint receiver of taxes.

SECTION 29. The president judge of the court of common pleas of Luzerne county, shall immediately after the passage of this act, and every third year thereafter, at the April term

of said court, appoint one person to be denominated receiver of taxes, to serve for three years; he shall collect and receive all taxes, levies and public assessments, payable and receivable within the limits of said city, for state, county, school, poor, city, special and all other purposes, and shall have and exercise all the powers now conferred by law upon collectors of school taxes within this commonwealth; he shall have an office in the Fifth ward of said city, which shall be open during business hours for the receipt of taxes, and he shall be allowed a commission of no more than two and one-half per centum upon all amounts collected by him; he shall pay over on the Saturday of each week to the officers respectively authorized by law to receive the same, all taxes and sums of money received by him; he shall give a bond to the commonwealth in the sum of one hundred thousand dollars, with two or more sufficient sureties, to be approved by the president judge of the court of common pleas of Luzerne county, conditioned for the faithful performance of his duties according to law, and for the payment of all taxes, rates, assessments and levies received by him; which bond shall be filed in the office of the mayor of said city for the use of persons, bodies politic and corporations in whose behalf he may collect or receive money; upon all taxes paid before the first day of August in each year he shall deduct five per centum in each year, and shall add interest from first September in each year to all taxes unpaid on the first day of November in each year, and shall settle the several duplicates and pay over the amounts thereof, deducting exonerations and commissions for collections, on or before the first day of January in each year; the said receiver shall have no power or authority to exonerate any person or body politic from the payment of any tax assessed and levied against him or them.

Duties.

To give bond.

SECTION 30. The return judges from the several wards shall meet together at the place where the council hold their meetings in said city, at two o'clock in the afternoon of the day succeeding election, and there add together the votes given for the several officers to be elected by the united votes of the several wards in respect to each office, and file their returns with the clerk of the council, and give certificates to the persons duly elected; and the proceedings for contesting the election of any city officer shall be the same as is now provided by law in case of contested election of prothonotary of the court of common pleas.

Meeting of return judges.

Contested elections.

SECTION 31. It shall be the duty of the president judge of the court of common pleas of Luzerne county, as soon as may be after the passage of this act, and annually thereafter, at the April term of said court, to appoint one person who shall be a qualified elector, in each ward, as assessor, who shall perform all and only the duties required of assessors, in pursuance of an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act further supplemental to the act relative to the elections of this commonwealth," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, and supple-

President judge to appoint assessor in each ward annually.

ments thereto; all the provisions of which said act of assembly shall apply and extend to all elections.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 477.

An Act

For the protection of sheep in the county of Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Assessors to
make return of
dogs.

That from and after the passage of this act it shall be the duty of the commissioners of Lawrence county, and they are hereby required, to cause an accurate return to be taken annually, by the assessors of the several townships, boroughs, and the city of New Castle, within the said county, of all dogs over four weeks old, owned or possessed by any person or persons within their respective townships, boroughs and said city, particularly noting the number owned or possessed by each person, and kept about any one house; and when the said commissioners shall have so ascertained the number of dogs aforesaid, they shall levy and cause to be collected annually, from any person or persons owning or possessing one dog, one dollar, and for every additional dog kept about the same house two dollars, and for every female dog or bitch three dollars, at the same time and in the same manner as the county rates and levies are collected, and the same fees shall be allowed for collection; and it shall be the duty of the county treasurer to keep separate accounts of the money arising from the tax on dogs, and the said money shall be and is hereby appropriated as a fund for the following purposes, viz: First, the fees for collector shall be deducted; second, the commissioners shall appropriate a sufficient amount of said funds to defray all necessary expense for furnishing books, for keeping correct accounts of the damages sustained by persons from dog or dogs returned to them by the appraisers under this act, and also to furnish blanks like or similar to the one accompanying this act, when called on, to the justices of the peace and aldermen of the county; third, the balance of said fund for remunerating the inhabitants of said county

Tax.

How collected.

How appropriated.

for any loss they shall sustain, after the passage of this act, by sheep being destroyed or injured by a dog or dogs.

SECTION 2. That every dog kept or staying about any house shall be deemed sufficient evidence of ownership to authorize the assessor to return the person inhabiting said house as the owner or possessor of such dog; and every dog not returned shall be deemed to have no owner, and may be lawfully killed by any person seeing said dog running at large.

Evidence of ownership.

SECTION 3. That when any inhabitant of said county shall have any sheep destroyed or injured by a dog or dogs, the appraisers mentioned by this act are hereby authorized and required to view and ascertain the amount of damage sustained by the owner of such sheep destroyed or injured as aforesaid; and when they have ascertained the legality of the claim and the damage so sustained, they or any two of them shall certify the same under their hands and seals to the commissioners of the said county, who shall file and number the same and make a memorandum of the day when filed, in a book kept for that purpose; and whenever there is any money in the treasury unappropriated for purposes specified in the first and second specifications of the first section of this act of any money arising from the tax on dogs, they shall draw that warrant on the county treasurer for the amount so certified: *Provided*, That this act shall not be so construed as to repeal any law now in force providing for the collection of damages done to sheep by dogs from the owner or owners thereof: *And provided further*, That the appraisers shall not certify an appraisement of damages to the county commissioners for payment as aforesaid, as in any case in which, in their opinion, there is sufficient proof to charge the owner or owners of dogs who are solvent with the damages aforesaid under existing laws, until such suit shall have been brought, tried and judgment entered against the plaintiff.

Assessment of damages caused by destruction of sheep.

To be filed with county commissioners.

SECTION 4. That when any inhabitant of the county aforesaid shall have any sheep destroyed or injured by a dog or dogs, he or she may make complaint, under oath or affirmation, to one of the justices of the peace of his or her township, borough, or said city, who shall thereupon appoint three judicious and disinterested appraisers of said damage, who shall have full power and authority to examine as witnesses any person or persons who shall appear before them respecting the premises, upon oath or affirmation, to be by them administered; and it shall be the further duty of the said appraisers, and they are hereby required to ascertain whether the owner of the sheep so destroyed or injured owns, possesses or keeps a dog or dogs about his or her premises, and shall make report of the fact, together with the appraisement of damages aforesaid, to the commissioners of the said county; and if it shall appear to the said commissioners that the owner aforesaid did not make a true return to the proper assessor of the said dog or dogs, the said owner shall not receive any part of the said damages, but shall be liable for the justice fees and the appraisers' per diem.

Proviso.

Appointment of appraisers.

Proceedings.

Appraisers to ascertain if complainant keeps dogs which are not returned.

SECTION 5. That the persons so appointed appraisers shall severally receive for their services the sum of one dollar per

Compensation of appraisers.

day while engaged in the performance of their duties under this act, which sums shall be added to and paid with the damages so appraised; and the said appraisers, after their appointment and before they enter upon the performance of their duties enjoined by this act, shall severally take and subscribe before the said justice, an oath or affirmation that they will faithfully and impartially perform all of their said duties to the best of their judgment and ability; which said certificate shall be immediately filed in the office of the county commissioners.

Appraisers to be sworn.

Penalty for not making return of dogs kept.

SECTION 6. That if any person in said county shall permit any dog or dogs to be kept or remain about his or her premises that is not returned by him or her to the assessor, such person shall be liable to pay a fine of five dollars for each and every dog, to be recovered in a suit in the name of the commonwealth, before a justice of the peace, as debts of a like amount are by law recoverable, one-half thereof to be paid to the informer and the other half to be paid to the county treasurer, to be placed by him in the fund of taxes on dogs.

Dogs seen in sheep enclosure may be killed.

SECTION 7. That any dog seen in an enclosure where sheep are kept within said county, except when in company with the owner, or some member of his or her family, may be lawfully killed.

Surplus fund may be divided among school districts.

SECTION 8. That should the fund arising from tax on dogs aforesaid accumulate in the treasury to an amount beyond what the county commissioners may think necessary to carry out the provisions of this act, they shall have power, and they are hereby required, as often as such contingency occurs, to proceed to set apart such surplus for common school purposes, and to divide the same among the several school districts within the said county, in proportion to the number of taxable inhabitants in each of the said school districts, and shall draw their warrant in favor of the school treasurers of the respective school districts for their proportions of the sum to be paid out, accounted and settled for by the said school treasurers as the common school fund is paid out, accounted and paid for.

Dogs declared personal property.

SECTION 9. That dogs in the said county are hereby declared to be personal property, and shall be as much the subject of larceny as any other kind of personal property whatever.

Tax to be levied on last assessment.

SECTION 10. The commissioners of said county are hereby authorized and required to levy the tax called for by this act on the last assessment of dogs in said county, made previous to the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 478.

An Act

To declare Baily's run, in Potter county, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Baily's run, in Wharton township, Potter county, is hereby declared a public highway from its mouth, at the Sinnema-honing, to the county line, a distance of about ten miles

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 479.

An Act

For the grading and paving of the main streets of Richland, in the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Leshar, William Landis, Adam Schaeffer, Isaac Kegerreis and Allen Bollinger, be and they are hereby appointed commissioners, who, or a majority of them, are authorized and directed to grade, or cause to be graded, in a proper manner, the main streets in the town of Richland, beginning at east front of lot owned by Charles S. Kessler, on First or Main street; thence along said street to the north corner of dwelling lot owned by Adam Loose, fronting on said street; also, back from said Main street, along School street, to a point in line with east end of school building, commencing on Race street, at a point in line with south side of Abraham Zug's dwelling; thence along said street to a point in line with north-east front of lot owned by William Frank, and to curb, pave and regulate the same with gutters,

Commissioners.

Streets to be graded.

- To curb, pave and regulate the same. sewers and culverts, sufficient to drain off the water from said streets; the grade of streets, width of pavements and gutters, and all other matters connected therewith, to be regulated by a majority of said commissioners: *Provided*, That the owners of property between the extreme points of town lots of Allen Bollinger and William Becker, on the west side of said Main street, shall not be compelled to move their fences more than four feet back from the street line, but shall make their pavements not less than five feet wide outside their enclosures.
- Proviso.
- Commissioners to be sworn. SECTION 2. That the commissioners appointed by this act, before entering upon their duty hereby assigned them, shall be sworn or affirmed before some judge or justice of the peace, to perform their duties, as aforesaid, with impartiality and fidelity, and according to the best of their skill and judgment, and shall perform the duties assigned them without compensation.
- To keep account of expenditures SECTION 3. That said commissioners shall keep an exact account of all their costs and expenditures in making the said grading and paving, shall assess the amount of the costs of the said work or works on the property located on and adjoining the said streets, not to exceed in depth the usual length of the town or building lots proper; said assessment shall be made in accordance with the valuation of the property as the same shall be for county purposes; which said amount so assessed shall be collected of property holders, as aforesaid, in the same way as county rates and levies are now collected; and said amount of tax so assessed shall be a lien on the several properties until paid, upon having a transcript of the said assessment, certified by a majority of said commissioners, entered in the court of common pleas of Lebanon county, in the same manner as mechanics' liens are now entered, within six months after the whole of said work shall have been completed.
- Costs to be assessed on adjoining property.
- Lien.
- Property owners to be notified to make pavements. SECTION 4. That as soon as the proper grades have been fixed by the commissioners, they shall give notice thereof to the property holders, whose duty it shall be to set their curb-stones according to grade and to lay their pavements with brick, limestone or other substantial materials used in laying pavements, so far as their respective properties extend, under the direction of said commissioners; but should any property holder as aforesaid refuse or neglect to make his, her or their pavement for the term of nine months after due notice as above by the commissioners has been given, then the said commissioners shall have the same done, and charge the cost thereof to the party delinquent, in the same way as provided in section three of this act.
- Neglect or refusal.
- Duties of owners. SECTION 5. That after the work aforesaid shall have been finished, it shall be the duty of each property holder to keep the pavements and gutters in front of their respective properties in good repair, and free from obstructions, except so far as may be necessary in the erection of buildings or otherwise: *Provided*, That in grading the said streets, a passage shall be kept open for public use.
- Proviso.

SECTION 6. That in case of death, removal or neglect to ^{Vacancy.} serve of any of the commissioners appointed by this act, the remaining members shall have power to fill such vacancy, by appointing any residing owner of property along said streets to be graded.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 480.

An Act

To legalize the payment of bounties in the township of Smithfield, in the county of Monroe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all payments and loans made in good faith by the township authorities and authorized committees of Smithfield township, in the county of Monroe, for bounties to volunteers to fill the several quotas of said township during the late war, not exceeding six hundred and fifty dollars to each volunteer, and the necessary expense attending the putting such volunteers into the military service of the United States, be and the same are hereby legalized and made binding upon said township, the same as if such township authorities and committees had been authorized by law at the time to pay bounties to that amount.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 481.

An Act

To establish a ferry over the Ohio river, at Freedom, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Ferguson, Jonathan Paul, J. B. Snead, J. F. Muller, J. F. Bentel, S. Morgan, their heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the north and south sides of the Ohio river, at and near the borough of Freedom, in said county of Beaver, on the north side, and at the public road from Ferguson's landing on the south side, to use the river between said landings as a public ferry: *Provided*, That said landings shall not obstruct the ascending or descending navigation: *And provided further*, That they may lease or hire said landings instead of constructing the same.

SECTION 2. That the said John Ferguson, Jonathan Paul, J. B. Snead, John F. Muller, John F. Bentel, S. Morgan, their heirs and assigns, shall keep said ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across the river with all reasonable diligence and care.

SECTION 3. That the said John Ferguson, Jonathan Paul, J. R. Snead, John F. Muller, John F. Bentel, S. Morgan, their heirs and assigns, as remuneration for keeping in good said ferry, shall receive such tolls for carrying persons, teams and carriages, horses and other animals, as may be prescribed by the court of quarter sessions of Beaver county.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire, boats or other property, or shall take from its moorings any craft or boat belonging to said ferry, he, she or they so offending, shall each of them forfeit and pay to the said John Ferguson, Jonathan Paul, J. B. Snead, J. F. Muller, J. F. Bentel, S. Morgan, their heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said John Ferguson, Jonathan Paul, J. B. Snead, J. F. Muller, J. F. Bentel, S. Morgan, their heirs and assigns, to be recovered as debts of a like amount are recoverable.

SECTION 5. That all other persons are hereby prohibited from using the said river, for the purpose of a public ferry, for a distance of eight hundred yards above the mouth of Betz street, in the borough of Freedom aforesaid, and a like distance below said street, and for a distance of eight hundred yards above Ferguson's landing, and a like distance

Ferry authorized.

Proviso.

Ferry to be kept in good order.

Court to fix tolls.

Penalty for injuring ferry.

Prohibition.

below said landing, on the south side of said river; and any person or persons violating the provisions of this act shall forfeit and pay to the John Ferguson, Jonathan Paul, J. B. Snead, J. F. Muller, J. F. Bentel, S. Morgan, their heirs and assigns, the sum of one dollar for every traveler, team, head of cattle, horse or carriage carried over said river within the above named bounds: *Provided*, That the privileges hereby granted shall continue no longer than fifteen years; and that the said ferry and owners thereof shall be subject to all general laws of this commonwealth regulating ferries.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 482.

An Act

Relating to the election of assessors in Clearfield county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified voters of every borough and township in the county of Clearfield shall, on the second Tuesday of October next, elect a properly qualified person as assessor, who shall serve for the term of three years; and at the election in October, Anno Domini one thousand eight hundred and seventy-two, they shall also elect, respectively, two assistant assessors, who shall serve for one year, and shall do the like every three years thereafter; and should any vacancy occur by death, resignation, removal or otherwise, it shall be the duty of the county commissioners to appoint a proper person or persons to fill the unexpired term of the office so vacated; and all laws inconsistent with this act are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 483.

An Act

To authorize turnpike and plank road companies to surrender their corporate franchises.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That wherever any turnpike or plank road company, incorporated under the laws of this commonwealth, having the location of its road wholly within the limits of the city of Philadelphia, and occupying one or more of the public highways thereof, shall desire to surrender its corporate privileges or franchises, and to abandon the use of said road or highway, it shall be lawful for such corporation, through its proper officers, to petition the court of common pleas for the city and county of Philadelphia, for permission to make such surrender of its franchises; and if the said court shall be satisfied that a majority of the shares of the stock has been represented at a meeting of the stockholders, previously called, for the objects and purposes aforesaid, and that the holders or owners of a majority of such shares are in favor of such surrender of its franchises, (notice of which meeting shall be advertised in at least two newspapers published in said city, twenty days prior thereto,) a decree shall be entered by the court that the said corporation has ceased to exist as such; and thereupon it shall be the duty of the councils of the city of Philadelphia to take charge of said road or highway, and to keep the same in repair: *Provided*, That when any such turnpike or plank road passes through or upon any of the public streets or highways of the Twenty-second ward of said city, the said streets or highways shall be taken in charge by the superintendents of highways of said ward: *And provided further*, That nothing in this act shall require the city of Philadelphia, or the said superintendents, to maintain and keep the said roads or highways as turnpike or plank roads: *And provided further*, That before any such decree shall be made, the said corporations shall submit to the court satisfactory evidence that all their debts and liabilities have been fully paid and satisfied.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 484.

An Act

To incorporate the Centre Square and Delaware Bridge Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James W. Long, Edward H. Green, Lewis C. Reese, Henry A. Sage, John Tindall and Samuel Boileau, and such others as may be associated with them or the survivors of them, are hereby constituted a body corporate, by the name, style and title of the Centre Square and Delaware Bridge Passenger Railway Company, and as such shall have power to lay out and construct one or more railways, with double or single track, with turn-outs, commencing on the eastern side of the public square in the borough of Easton, thence extending along Northampton street to the bank of the Delaware river or to the Easton Delaware bridge, for which purpose they are hereby authorized to occupy so much of said street as lies between said public square and bridges; said company to have power to convey passengers and all kind of produce over said route, and to have the right to purchase real estate and erect thereon such buildings and improvements as may be necessary or deemed expedient for the purposes and convenience of said company, and also to purchase the necessary equipments, rolling stock, horses, cars and other vehicles for conveyance of passengers or produce over said railway.

Corporators.

Name.

Powers and privileges.

May purchase real estate and erect buildings, &c.

SECTION 2. The capital stock of said company shall consist of two hundred shares, at twenty-five dollars each: *Provided,* That said company shall have power, by a vote of the stockholders, convened for that purpose, to increase their capital stock as much as in their opinion shall or may be necessary to carry out the full and true intent and meaning of this act.

Capital stock.

SECTION 3. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the months of January and July in each and every year, to be paid at any time after ten days from the time of declaring the same.

Dividends

SECTION 4. That said company shall have a common seal, and power to alter or renew the same at pleasure, and power also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation.

May enact by-laws, ordinances, &c.

SECTION 5. That said company shall have power to elect or appoint a president and seven directors, and such other officers as may be deemed necessary and expedient; and in every election for officers each share of stock shall entitle the holder to one vote.

May elect president and directors.

SECTION 6. The said company shall have the right to contract with any bridge company or passenger railway company

May contract with bridge and railway companies.

for the right of way over any bridge or upon any track over or upon which the company may desire to pass, and for that purpose may lease the road and property of, or become consolidated and merged with, any street passenger railway or horse car railway company organized under the laws of this state or any adjoining state, upon such terms as may be agreed upon by the stockholders of the companies merging.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 485.

An Act

To authorize the burgess and town council of Tidionte borough, in Warren county, to borrow money and lay taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Tidionte, in the county of Warren, are hereby authorized to borrow, in the name and upon the faith, credit and responsibility of said borough, such sum or sums of money, not exceeding three thousand dollars in all, for the purpose of repairing roads, bridges and sewers, and such other purpose as the said authorities may lawfully direct; and to issue bonds or certificates of indebtedness for the amount or amounts so borrowed, in the name of the said borough of Tidionte, under the corporate seal, attested by the burgess and treasurer, or secretary of said town council, in such sums as said burgess and council may determine, bearing interest at a rate not exceeding seven per centum per annum, and payable or redeemable at such time or times as said burgess and council may fix; and said bonds shall be exempt from taxation.

SECTION 2. Said burgess and town council shall have power to assess and collect such taxes, from time to time, as may be necessary to pay the interest on such loans, and to redeem the principal when due: *Provided,* That such taxes, together with those now authorized by law for road and state purposes, shall not exceed two and one-half per centum of the valuation of said borough in any one year.

Burgess and council authorized to borrow money.

To issue bonds, &c

Rate of interest.

To levy and collect taxes.

Proviso.

SECTION 3. Said burgess and town council shall have the same power, under the same restrictions, to borrow money to pay the debt authorized by the first section of this act to be contracted, if it shall be necessary so to do, and to assess and collect tax to re-pay the same, as is embraced in the foregoing sections of this act. Authorized to pay debt.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 486.

An Act

Repealing an act relative to roads in Valley township, Chester county, Pennsylvania, approved the fourteenth day of February, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to roads in Valley township, Chester county," approved the fourteenth day of February, Anno Domini one thousand eight hundred and sixty-seven, extending the provisions of an act relative to the opening and making of new roads and building of bridges in the township of West Marlboro, in the county of Chester, and relative to the repairing of roads in said township, approved February twelfth, one thousand eight hundred and fifty-nine, to said township of Valley, be and the same is hereby repealed.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 487.

An Act

To authorize the burgess and town council of the borough of Ebensburg, in the county of Cambria, to assess, levy and collect a special tax for the years Anno Domini one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Ebensburg, in the county of Cambria, be and they are hereby authorized to assess, levy and collect, for the years Anno Domini one thousand eight hundred and seventy-one and one thousand eight hundred and seventy-two, a special tax, not exceeding one per centum on the valuation assessed for state and county purposes, which tax shall be expended by the burgess and town council in payment of the debt of said borough incurred in the purchase of fire engine and fixtures.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 488.

An Act

Supplementary to an act incorporating the city of New Castle, in the county of Lawrence, approved the twenty-fifth day of February, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That said city shall have power to lay out and ordain public streets, roads and alleys, in manner now provided by said act, without being obliged to open or make the same until such time as the city councils shall deem the same necessary for the accommodation of the public.

City to have
power to lay out
roads, streets,
&c.

SECTION 2. Said city shall have power to appoint one street commissioner for the whole of said city, or one for each ward, as by the sixty-ninth section of said act, and may appoint non-residents of said city to such office. Street commissioners.

SECTION 3. The thirty-ninth section of said act shall be held to apply to sections of streets as well as to the whole of such streets. Section thirty-nine of act of incorporation.

SECTION 4. The stated meetings, section ninety-two, for holding appeals from assessments, shall be held only triennially and after the county triennial assessment. Appeals from assessments.

SECTION 5. That the mayor of said city shall, on or before the first day of May of the present year, and before he shall enter on the exercise of the duties of his office in every year thereafter, give a bond to said city, in such amount as the councils shall fix, and be approved of by them, and filed with the clerk, conditioned to pay over and account for, according to law, all fines and penalties which shall come to his hands and possession by virtue of his office; on failure to furnish such security as herein provided, the city councils shall have power to declare the office vacant and to appoint some suitable person to said office, who shall be qualified according to law and furnish such security and serve during said term. Mayor to give bond. Penalty for failure.

SECTION 6. The said city of New Castle shall be the legal successor of the borough of New Castle. Legal successor.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 489.

An Act

In relation to roads in Elizabeth township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the supervisors duly elected or appointed in Elizabeth township, in the county of Allegheny, to require all tax levied for road purposes to be paid to the treasurer of the township in money, to be drawn therefrom only on orders from the said supervisors in favor of themselves, for services rendered, Powers of supervisors.

for work and labor done under their direction, for materials furnished for bridges, for tools necessary to work the roads, et cetera.

When tax to be levied and what amount.

To make duplicates for treasurer.

SECTION 2. That the supervisors shall in the month of March, in each year, levy a tax for road purposes sufficient to open all new roads in said township, and repair all roads already laid out and used by the public, and make a fair duplicate of the assessment of tax for road purposes for said township, according to law, and deliver the same to the treasurer of the township, with a certificate that the taxes charged thereon have been assessed according to law, who shall be liable for the whole amount of tax contained thereon, from which he and his sureties shall only be discharged by accounting for the amount, after deducting the exonerations that may be allowed.

Notice.

Deduction.

Penalty for non-payment.

SECTION 3. The treasurer shall, immediately after the receipt of said duplicate, give notice by at least five printed handbills, posted in the most public places in the township, that the road tax has been levied for the township, and payable to him in cash at his office; if any person shall, on or before the fifteenth day of May, pay the amount of tax assessed against him or her, less the deduction, he or she shall be entitled to a deduction of five per centum thereon; if any said tax shall remain unpaid on the first day of October, the treasurer shall issue his warrant, accompanied with a schedule of all unpaid tax in the township, and the names of the persons respectively by whom the same are due, directed to any citizen of the township, authorizing and requiring him to demand and receive of the persons named in the schedule, the sum therein charged against them respectively, together with ten per centum in addition thereto, which shall be a full compensation for the collection thereof.

Treasurer to give bond.

Compensation.

Number of supervisors.

Compensation.

SECTION 4. The treasurer shall give his bond with surety, approved by the supervisors, for the amount on the duplicate, and shall require the same from the person he shall appoint to collect the full amount of tax on the duplicate put into his hands; the treasurer to receive two per centum of all orders taken up by him as a full compensation for his services.

SECTION 5. At the next township election the qualified electors of said township shall elect three road supervisors, instead of two, who shall perform all the duties that have been performed heretofore by the road supervisors of said township; and the compensation of said supervisors shall, after the passage of this act, be two dollars per day for actual time employed.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 490.

An Act

Amending an act providing for the introduction of water into the borough of Lebanon, approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section one of an act providing for the introduction of water in the borough of Lebanon, approved April fifteenth, one thousand eight hundred and sixty-nine, be amended so as to authorize the payment of seven per centum interest on bonds issued, or to be issued, under the provisions of said section one, by the burgess and council of the borough of Lebanon; and the burgess and council are hereby authorized to issue such bonds, bearing a rate of interest not exceeding seven per centum per annum, payable semi-annually: *Provided,* That no bonds issued under this act shall be negotiated or sold for less than their par value.

SECTION 2. That any portion of law or laws inconsistent herewith, be and the same hereby are repealed.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 491.

An Act

To incorporate the International Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas A. Scott, H. H. Houston, William Thaw, J. D. Potts and A. D. Hepburn, or a majority of them, and their successors, associates and assigns, be and they are hereby declared to be a body corporate in law and in deed, by the name,

Name. style and title of the International Navigation Company, and by that name, style and title shall have perpetual succession, and be entitled to all the powers and privileges conferred, and subject to all the restrictions imposed by an act incorporating the Pennsylvania Company, approved April seventh, Anno Domini one thousand eight hundred and seventy, and the supplements thereto, excepting that the principal office of said company shall be in the city of Philadelphia; and that the required notice of the time and place of the annual election for directors of said company shall be given by publication in two newspapers published in the city of Philadelphia, instead of in the city of Pittsburg.

Powers and privileges.

Location.
Notice of election.

Additional privileges.

SECTION 2. That the corporation hereby created shall have power to purchase, lease, construct, own or otherwise control steam or other vessels, and may maintain and employ the same for the purposes of transportation between the United States and the ports of any foreign country, or between any ports of or in the United States, and may from time to time dispose of the same; and such steam or other vessels shall be considered as included in the public or private works and improvements referred to in said act of April seventh, Anno Domini one thousand eight hundred and seventy.

May borrow money.

SECTION 3. The company hereby created shall also have power to borrow money upon such terms, and issue such evidences of indebtedness therefor, as they may from time to time deem proper, and may secure the payment of the principal and interest of the same, or any part thereof, by mortgage of their property, income and franchises.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM M. RANDALL,

Speaker of the Senate *pro tem*.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 492.

An Act

To authorize the mayor and council of the city of Corry, in the county of Erie, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the mayor and city council of the city of Corry, in the county of Erie, be and they are hereby authorized and empowered to borrow such sum or sums of money as they may deem proper, not exceeding twelve thousand dollars, for the purpose of and to be used and expended in the completion of the city hall in said city, and by resolution of the city council, or a majority of them, at any regular or stated meeting thereof, issue bonds for the payment of the same, in the name of said city, bearing any rate of interest not exceeding eight per centum per annum, and in such sum or sums as they may deem proper, not less than fifty dollars each; and they, or a majority of them, are hereby required to provide, by ordinance, for the payment of the same and interest, at such time or times, place or places, and in such manner as they shall deem proper: *Provided*, That any and all taxes or assessments which shall be levied or assessed for the payment of the interest or principal of said indebtedness shall be levied upon all the property and things in said city made subject to taxation for city purposes under existing laws.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 493.

An Act

In relation to the collection of state and county taxes in the township of Alsace, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the date of the passage of this act the collection of state and county taxes in the township of Alsace, in Berks county, shall be given to the lowest bidder for the same, proposals to be presented to the commissioners of said county at least three weeks prior to the giving out of the said collection of taxes; and the difference between the compensation now allowed by law for the collection and lowest bid made, accepted under the provisions of this act, shall be paid by the said commissioners into the common school fund, for the purpose of education in said township: *Provided*, The said collector shall give good and sufficient security to the

said commissioners for the true performance of his duty in the collection of said taxes.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 494.

An Act

Relating to Conemaugh borough, Cambria county, legalizing the survey thereof, changing the number and mode of electing councilmen therein, authorizing the council to borrow money for paving streets, empowering the burgess to commit to the lock-up house in Johnstown borough, and authorizing additional taxation.

Preamble.

WHEREAS, Difficulties have occurred in establishing the true location of the boundary line, streets and alleys of the borough of Conemaugh, in the county of Cambria, and state of Pennsylvania :

And whereas, The burgess and council of said borough, in council assembled, ordered and directed that a true and correct survey of the boundary line, streets and alleys should be made by Henry Seanlan, Esquire, county surveyor of Cambria county :

And whereas, The said Henry Seanlan has made said survey in pursuance of said order, and has made a plot or draft of the same, which said survey and plot has been formally approved by the said burgess and town council :

And whereas, The council of the borough aforesaid is composed of six members, in consequence whereof difficulty has arisen in consequence of their being equally divided :

And whereas, Also other inconveniences have occurred in transacting the corporate business of said borough ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true location of the boundary line, streets and alleys in the borough of Conemaugh, in the county of Cambria, shall be taken and deemed to be according to and as fixed in the plot or draft of said borough made by Henry Seanlan, in pursuance of the order of the burgess and council of said borough, and the said streets and alleys shall be public highways, over which the burgess and council of said borough

Boundary of
streets in Cone-
maugh borough.

shall have jurisdiction and control ; and the said plot or draft shall be certified by the said Henry Scanlan, and shall be filed in the office of the burgess of said borough.

SECTION 2. That at the next election for officers of said borough, and tri-ennially thereafter, the qualified electors thereof shall elect one qualified citizen of the borough to serve as an additional councilman for the term of three years ; and at all elections hereafter in said borough, instead of electing two councilmen by general ticket throughout the whole borough, the qualified electors of each of the two wards thereof shall elect one councilman for said ward, to hold office for the term now prescribed by law.

Additional councilman.

Wards to elect.

SECTION 3. That the burgess and council of said borough may, immediately after the passage of this act, appoint a qualified citizen of said borough to act as an additional councilman, until the one provided for in the preceding section is duly elected and qualified.

Burgess and council may appoint.

SECTION 4. That as soon as the additional councilman is appointed or elected, as aforesaid, the council of the said borough shall organize, by the election of a president and other officers ; and the president of council shall act as burgess during the absence or inability of the burgess to act.

Officers.

SECTION 5. Every ordinance that shall have passed the council shall be presented to the burgess ; if he approves, he shall sign it ; but if he shall not approve it, he shall return it, with his objections, to the council, which shall proceed to re-consider it ; if after such re-consideration the majority of all the members of the council shall agree to pass the ordinance, it shall be binding and obligatory the same as if signed by the burgess ; but in such cases the vote of the council shall be determined by yeas and nays, and the names of the persons voting for and against the ordinance shall be entered on the minutes ; if any ordinance shall not be returned by the burgess on or before the next regular meeting of council after it shall have been presented to him, it shall have the same force and validity as if signed by him ; and in case of an ordinance becoming binding and obligatory, without the signature of the burgess, as aforesaid, the fact shall be certified to and signed by the president and clerk of council.

Ordinances to be presented to burgess for approval.

SECTION 6. That warrants issued by the burgess of said borough, for violation of the ordinances of the same, shall be as effective as warrants signed by justices of the peace of Cambria county for offences within their jurisdiction ; and the said burgess shall have power to commit offenders against the borough ordinances duly convicted, to the lock-up house, for any period not exceeding five days, and may commit said offenders to the lock-up house in the borough of Johnstown ; and the said lock-up house of Johnstown may also be used by the police of said borough of Conemaugh, for the temporary detention of offenders awaiting trial : *Provided*, That the proper authorities of said borough of Johnstown consent and agree to the use of said lock-up house by the authorities of Conemaugh borough as aforesaid.

Burgess may issue warrants.

May commit for violation of ordinance.

Proviso.

SECTION 7. That the council of said borough of Conemaugh shall annually appoint a committee of three of their number,

Appeals.

who shall fix a time and place where they will hear appeals from assessments and claims for exoneration from taxes, and due notice shall be given by the collector of such time and place; and the said time shall not be less than forty nor more than sixty days after the duplicate is placed in the hands of the collector for collection; and no claim for exoneration from the payment of taxes shall be allowed unless made to the committee at the time thus fixed: *And it is also provided,* That the office of tax collector of said borough shall not be incompatible with any other borough office.

Proviso.

May borrow money.

SECTION 8. The burgess and town council of said borough shall have power to borrow money for the purpose of paving and grading the streets of said borough, to any amount not exceeding ten thousand dollars, and shall have authority to issue the bonds of the borough therefor, in such form as they may deem expedient; which said bonds shall bear such interest as may be fixed by the burgess and council, not exceeding eight per centum per annum: *Provided,* That the said bonds shall not be sold at less than their par value, and that they shall not be taxable for any purpose: *And provided also,* That the said burgess and council shall have power to levy and collect annually for borough purposes, (if they deem the same necessary,) an additional tax, not exceeding one cent on the dollar of the assessed valuation of said borough.

Proviso.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 495.

An Act

To regulate the taking of game in the counties of Erie, Crawford, Warren, Elk, Mercer, Cameron and Forest.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person or persons to take, kill, expose for sale, or have unlawfully in his or their possession, in the counties of Erie, Crawford, Warren, Elk, Mercer, Cameron or Forest, any ruffled grouse or pheasant between the first day of February and the first day of August in any year; any woodcock

Ruffled grouse
or pheasants.

between the fifteenth of November and the fifteenth of July ; any gray or English snipe between the first day of November Snipe. and the first day of March, or any speckled or brook trout, Trout. except in the months of April, May, June, July and the first fifteen days in August, in any year, under the penalty of five dollars for each bird or trout so taken, killed, exposed for sale or had in possession ; which penalty shall be collected as is Penalty. provided in the tenth section of an act, entitled "An Act providing for the taking of game," approved the twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 2. All acts and parts of acts, inconsistent herewith, are hereby repealed ; and so much of an act, entitled "An Act providing for the taking of game," approved April twenty-one, one thousand eight hundred and sixty-nine, as excepts the county of Warren from the provisions of the same, so far as relates to the taking or killing of deer, is also hereby repealed. Repeal.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 496.

An Act

To incorporate the Coke Gas Company of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles H. Armstrong, Robert Dickson, P. W. M'Kenzie, J. M'Creighton and Robert Pitcairn, and their associates, and those who may become associated with them, be and are hereby created a corporation or body politic in deed and in law, by the name, style and title of the Coke Gas Company, Corporators. to manufacture and supply gas within the county of Allegheny, with power to do all and every matter and thing which a corporation or body politic as such may lawfully do. Name.

SECTION 2. The said company shall have full power and authority for the purchase and sale of patents granted by the authority of the United States for the manufacture and production of gas, and of rights and licenses under said patents and to manufacture gas thereunder, and for the manufacture Powers and Privileges.

and sale of any and all machinery, and process made and operated under such patents.

Capital.

SECTION 3. The capital stock of said company shall be five thousand dollars, divided into shares of fifty dollars each, which may be increased to any amount not exceeding one hundred thousand dollars by a vote of the stockholders.

Subject to provisions of general law.

SECTION 4. Said company shall be clothed with all the powers and privileges and shall be subject to the provisions and restrictions of an act to provide for the incorporation of gas and water companies; approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-three, and its supplements, except in so far as the provisions of that act or its supplements are supplied or altered by this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem*.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 497.

An Act

Supplementary to an act, entitled "An Act to incorporate the Trustees of the Fire Association of Philadelphia," passed April third, one thousand eight hundred and thirty-three.

Companies incorporated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following fire engine and hose companies of the city of Philadelphia, viz: The Delaware, United States, Hand-in-Hand, Diligent, Washington, Weccacoe, Franklin, Humane, Harmony, Columbia, Good Intent, America, Reliance, Northern Liberty, No. 1, Friendship, Philadelphia, Vigilant, Hibernia, Fairmount, Washington, No. 1, of Frankford, Decatur, Globe, Southwark, Good Will, Hope, Assistance, Fellowship and Mechanic engine companies; Southwark, Columbia, Good Intent, Perseverance, Humane, Hope, Washington, Philadelphia, Phoenix, United States, Diligent, Niagara, Resolution, Neptune, William Penn, America, Fame, Lafayette, Marion and Pennsylvania hose companies, composing, at the time of the passing of this act, the Fire Association of Philadelphia, and proprietors of the capital stock thereof, be and are hereby created and declared to be one body politic and corporate, by the name, style and title of

the Fire Association of Philadelphia; and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements and hereditaments, goods and chattels of what nature, quality or kind soever, real, personal or mixed, or choses in action, and the same from time to time to sell, demise, grant, alien or dispose of: *Provided*, That the real estate shall be only such as shall be necessary to accommodate the said corporation in the transaction of the business thereof, or for the occupancy of their officers, or which shall be taken and held in security for the payment of debts due the corporation, or shall be conveyed in satisfaction of debts due to the corporation, or purchased by them at any sale by a marshal or sheriff, or at any other judicial sale of lands under mortgage or judgment of the corporation, or against which they have a mortgage or judgment, and also to make and have a common seal, and the same to break, alter and renew at pleasure.

SECTION 2. The capital stock of the Fire Association of Philadelphia shall consist of ten thousand shares, of fifty dollars each. The present capital stock shall be distributed *pro rata* to and amongst the several companies now composing the association, to be held by them and their successors or assigns; and in case any company shall desire or prefer to maintain its existence as a company, it may be represented at all meetings of the stockholders by a person duly accredited as such, and such person shall be entitled to represent or vote on as many shares as the company represented by him shall hold.

SECTION 3. That for the well ordering of the affairs of said corporation there shall be thirteen directors, of whom seven shall be a quorum, who shall be citizens of this commonwealth, holding at least five shares each in their own right, or being members of the companies aforesaid holding at least fifty shares of the said stock, and who shall be chosen by ballot, on the second Friday in January in each and every year, by a plurality of the votes of the stockholders present in person or by proxy; and the directors so chosen shall serve for one year next ensuing the elections respectively, and until others shall be chosen, and no longer; and at their first meeting after each election shall choose one of their number as president: *Provided*, That the present trustees, viz: William H. Hamilton, John Carrow, George I. Young, Joseph R. Lyndall, Levi P. Coates, Samuel Sparhawk, Charles Bower, Jesse Lightfoot, Robert Shoemaker, Peter Armbruster, Mahlon H. Dickinson, Peter Williamson and Joseph E. Schell shall be the first directors, and shall continue in office until the second Friday in January, one thousand eight hundred and seventy-two: *Provided also*, That in case it shall at any time happen that an election of directors shall not be made upon any day when, pursuant to this act, it ought to have been made, the said corporation shall not for that cause be deemed to be dissolved, but it shall be lawful for the directors for the time being to call a meeting of the

Name.

Powers and privileges.

Proviso.

Capital.

Number of directors.

How chosen.

Term.

Trustees.

Proviso.

- Vacancies. stockholders on any day within thirty days thereafter for the election of directors, giving at least twenty days' notice in at least two newspapers of the largest circulation in the city of Philadelphia; in case of the death, resignation or removal from the state of a director, or in any case any director shall be chosen a director of any other fire insurance company, and shall act as such, the place of such director shall, for the unexpired term, be filled by the remaining directors.
- Officers. SECTION 4. The directors for the time being shall have power to pay to the president of the board of said directors such salary as they may deem proper; and the president and directors shall have power to establish and appoint such and so many officers, clerks, agents or agencies, in this state or elsewhere, as shall be by them deemed convenient or necessary for conducting and performing the business of the said corporation, to fix their compensation, to take bonds from any or all of them, with security conditioned for the faithful performance of their several duties; to make such covenants, contracts and agreements as they may deem proper; to ordain, establish and put in execution all such ordinances, regulations and by-laws as may appear necessary for the government, or conducive to the interests of the corporation, not being contrary to the fundamental articles thereof, to the constitution and laws of the United States and this commonwealth, and generally to do, execute and perform all acts, matters and things in relation to the business thereof which a corporation may or can lawfully do: *Provided*, That all such ordinances, regulations and by-laws as shall be made by the directors may be altered or repealed by a majority of the stockholders at any annual meeting or at any special meeting: *Provided further*, That the president and directors are hereby authorized to call meetings of the stockholders at any time they may think proper, giving at least twenty days' previous notice thereof; and they are also required to call meetings of the stockholders when requested, in writing, by twenty or more stockholders, holding together not less than one thousand shares, giving a like notice; no business shall be transacted at a special meeting of the stockholders, except such as is stated in the call, without the unanimous consent of all the stockholders present. The directors shall divide themselves into committees, each committee to consist of three directors; and the committees shall attend in monthly rotation at the office, whenever required by the president, to advise with him in relation to matters of insurance; and the directors may authorize the president, with the advice and consent of the committee for the month, to loan, in the intervals which elapse between the meetings of the directors, upon such securities as are named in section seven of this act, whenever it is believed that the interests of the corporation will be promoted thereby.
- Duties of directors. Proviso. SECTION 5. The votes of the stockholders for directors shall be by ballot; and for the election of directors, and for the deciding of all questions in the general meetings of the stockholders, they shall be entitled to one vote for each share of stock by them respectively held; but no stockholder shall
- Voting.

vote at any election for director, unless the stock shall have stood in his or her name, on the books of the said corporation, at least three months preceding the time of election. All the stockholders may vote in elections, or on any question concerning the business of the corporation, by proxy: *Provided*, The proxy be derived directly from such stockholders, and the vote be given by a citizen of this commonwealth.

SECTION 6. The president and directors shall have full power, on behalf of said corporation, to make insurance against losses by fire, on any house, tenement, manufactory or other building, and on goods, wares, merchandise and effects therein; and on any ship or vessel upon the stocks, building or repairing, or at moorings, or lying in port, and on goods, wares, merchandise and effects therein; and on hay, grain and other agricultural products, in barns, stacks or otherwise, and generally on all kinds of buildings and of goods, wares, merchandise and effects upon the land or lying in port; and to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary and as the nature of the case shall or may require; and every such contract, bargain, agreement and policy to be made by the said corporation shall be in writing or in print, and shall be under the seal of the said corporation, signed by the president and attested and signed by the secretary or other officer who may be appointed by the president and directors for that purpose.

Powers of officers.

SECTION 7. That it shall be lawful for the said corporation to employ and improve the capital stock thereof, and all moneys received for premiums which the president and directors are, by section ten of this act, directed to retain until the risks upon which such premiums have been received are fully determined, by investing the same in mortgages, ground rents, the public stocks or loans of the United States, state of Pennsylvania, the city of Philadelphia or the stock of this corporation; and also to sell and dispose of and transfer all or any of the said stocks or loans or securities, and invest the proceeds thereof in like stocks or loans and securities: *Provided*, That nothing herein contained shall in any way be construed to authorize the said corporation to use the funds of this institution for banking purposes: *Provided further*, That stock purchased by the said corporation shall not be voted at any election.

How funds may be used.

Proviso.

SECTION 8. The shares of the stock of the said corporation shall be assignable or transferable according to such rules and regulations as the president and directors thereof shall for that purpose ordain and establish, and not otherwise: *Provided*, That no person or persons shall hold or be owners of said stock who are not citizens of or residents in the United States; and if any transfer be made to any such person or persons the same shall be, to all intents and purposes, null and void: *Provided further*, That no owner of stock indebted to the corporation shall be permitted to make a transfer of said stock or receive a dividend thereon until such debt be discharged or satisfactory security be given to the board of directors for the same.

Stock may be transferred.

Proviso.

Policies may be assigned.

SECTION 9. In case any assured named in any policy or contract of insurance made by the said corporation shall sell, convey or assign the subject insured, it shall be lawful for such assured to assign and to deliver to the purchaser such policy or contract of insurance, and such assignee shall have all the benefit of such policy or contract of insurance, and may bring and maintain a suit in his own name: *Provided*, That before any loss happens, he shall obtain the consent of the insurer to such assignment, and have the same indorsed on or annexed to such policy or contract of insurance to be according to the aforesaid directions for that purpose and not otherwise.

Proviso.

Dividends.

SECTION 10. The president and directors shall, on the first Friday of July, in the year one thousand eight hundred and seventy-one, and on the first Friday in January and July of every year thereafter, declare and divide so much of the profits of said corporation as shall accrue after the payment of losses and expenses, from the whole of the interest on investments, and not less than three-fourths of the other profits of the office, and the dividend so declared shall be paid to the respective stockholders, agreeably to such rules as the president and directors shall make for that purpose; but the moneys received as premiums upon risks, which remain undetermined and are outstanding at the time of the declaring of such dividend, shall not then be considered as part of the profits of said corporation or divided as such; and if any loss or losses shall happen, whereby the capital stock of the corporation shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the capital stock of the said corporation; and if the president and directors shall knowingly make a dividend or dividends contrary to the true intent and meaning of the prohibitions herein contained, the president, if he consents thereto, and such of the directors as shall consent thereto, shall, in their individual capacity, be accountable for and pay over to the said corporation, for the use thereof, as much money as they may so divide and pay more than by this act they are authorized to do; and the president and each director of the said corporation in office at the time of making such dividend hereby prohibited to be made shall be deemed as consenting to such dividend, unless he or they shall at the time of making such dividend be absent from the board of directors, or, if present, shall immediately enter his or their protest on the minutes of the board of directors.

Liability for dividends illegally declared.

Rights and liabilities.

SECTION 11. The corporation hereby created shall assume and take upon itself, and be liable for, all contracts, engagements, duties and liabilities of the corporation created by the act herein and hereby repealed, as fully, to all intents and purposes, as if it were the same corporation; and that all and singular the estates, rights, credits, goods and chattels, and generally all the estates, real and personal, of the said corporation, be and they are hereby transferred to and vested in the corporation hereby created, together with the right, in all cases, to sue as if it were the same corporation continued.

SECTION 12. That the act passed the third day of April, one thousand eight hundred and thirty-three, entitled "An Act to incorporate the Trustees of the Fire Association of Philadelphia," and all supplements thereto, inconsistent herewith, be and the same is hereby repealed.

SECTION 13. If at any time it shall appear to the legislature that the said corporation has abused or misused any of the privileges hereby granted, the power to repeal this act shall in no wise be denied or impaired; but such repeal shall in no wise affect the engagements to which said corporation may have become a party previously thereto, nor shall it be done in such a manner as to do injustice to the corporators.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 498.

An Act

Relative to the stay of execution in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the passage of this act the stay of execution upon all judgments entered in the court of common pleas and the district court of the county of Allegheny, shall be computed from the return day to which the original process issued was returnable.

SECTION 2. All acts inconsistent herewith be and the same are hereby repealed.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 499.

An Act

Authorizing an election for members of the town council of the borough of Cambria, in the county of Cambria.

Preamble.

WHEREAS, At the last election held for borough officers in the borough of Cambria, in the county of Cambria, in consequence of the belief that the law for the election of councilmen for said borough had been changed, but one member of the town council was elected for the legal term; therefore,

May elect councilmen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the qualified electors of the borough of Cambria, in the county of Cambria, to meet at the usual place for holding elections in said borough, on the third Friday in May, Anno Domini one thousand eight hundred and seventy-one, and then and there elect four members of the town council, who shall serve until the next annual election, or until their successors shall have been duly qualified; said election to be held between the hours and conducted in all other respects as now provided by law for holding elections.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 500.

A Supplement

To an act, entitled "An Act to regulate medical practice in certain counties in this commonwealth."

WHEREAS, In said act, approved by the governor on the thirty-first (31st) day of March, Anno Domini one thousand eight hundred and seventy, is provided that physicians or surgeons commencing practice in any of the aforesaid counties, with the intention of remaining permanently therein, shall not be subject to the provisions of section one of this act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the true intent and meaning of said act is that physicians or surgeons commencing practice in any of the aforesaid counties, with the intention of remaining permanently therein, shall not be subject to the provisions of section two of this act. Former act construed.

SECTION 2. That in the last provisions of section second of said act the word "one" be stricken out, and the section made to read section "two" (2) of this act. Words changed.

SECTION 3. That the phrase in said county, in the first proviso of the first section of the act to which this is a supplement, be stricken out of said section. Words stricken out.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 501.

An Act

To authorize the transfer of the rights, property and franchises of the Pittsburg Farmers' and Mechanics' Turnpike Company, to the city of Pittsburg, and the issue of bonds of said city in payment thereof.

WHEREAS, The councils of the city of Pittsburg did, on the twenty-fourth day of October, Anno Domini one thousand eight hundred and seventy, pass a joint resolution, as follows: "*Resolved*, That the city solicitor be and he is hereby authorized to enter into a contract, on part of the city of Pittsburg, with the Farmers' and Mechanics' Turnpike Company, to purchase all the rights, property and franchises of said company, for the sum of forty thousand dollars, to be paid in six per cent. bonds, at ten years after date, and to draw up and prepare the necessary legislation to carry said contract into effect:" Preamble.

And whereas, Said company, at a meeting of the stockholders thereof, on the twenty-second day of November, eighteen hundred and seventy, did, by a resolution, accept of the terms proposed:

And whereas, In pursuance of said resolution, the said Farmers' and Mechanics' Turnpike Company, and said city of Pittsburg, did enter into an agreement for the sale and

transfer of all the rights, property and franchises of said company, to said city, so soon as the necessary authority should be obtained therefor; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Company may sell property and franchises to Pittsburg.

That the said Farmers' and Mechanics' Turnpike Company shall be and are hereby authorized to sell, transfer and relinquish to the city of Pittsburg, all the rights, property and franchises of said company, upon the terms mentioned in said resolutions, and such other terms as may be agreed upon by said parties.

Transfer and its effects.

SECTION 2. The transfer shall be signed by the president, and attested by the secretary of said company, and when so made and delivered, shall operate as an extinguishment of all the rights and franchises of said company, and a transfer of all their rights to said city, free from all liens and incumbrances, and thereafter said road shall become a public highway of said city, subject to all the laws and ordinances of said city in reference to streets and highways therein.

City councils, Pittsburg, to issue bonds.

SECTION 3. The councils of the city of Pittsburg shall be and are hereby authorized to issue bonds, to an amount not exceeding forty thousand dollars, for the purpose of purchasing the rights and franchises of said company.

Rate of Interest.

SECTION 4. Said bonds shall be known as "road bonds," shall be payable in ten years from the date thereof, with interest at the rate of six per centum per annum, payable semi-annually, and shall be made in such form and amounts as councils may by ordinance direct.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 502.

An Act

To repeal an act, entitled "An Act relative to the publication of local laws in the counties of Centre and Schuykill," so far as the same relates to the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That an act, entitled "An Act relative to the publication of local laws in the counties of Centre and Schuylkill," approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six, and the several supplements thereto, be and the same are hereby repealed, so far as the same relates to the county of Centre.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 503.

An Act

To repeal the second, third and fourth sections of an act, approved March second, one thousand eight hundred and seventy, entitled "A supplement to the act to incorporate the borough of Titusville, Crawford county, into a city."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second, third and fourth sections of the act, entitled "A supplement to the act to incorporate the borough of Titusville, Crawford county, into a city," approved the second day of March, one thousand eight hundred and seventy, be and the same are hereby repealed.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 504.

An Act

To provide for the opening of Park avenue, late Diamond street, from Twenty-second to Thirty-third street, in the city of Philadelphia.

Preamble.

WHEREAS, By the act of assembly of the commonwealth of Pennsylvania, approved the sixteenth day of March, Anno Domini one thousand eight hundred and seventy, it is directed that Diamond street, from Broad street to Thirty-third street, shall be a seventy feet wide street, so that there shall always be a fine wide avenue connecting Broad street with Fairmount park, near the Schuylkill, and free from all obstructions, and that the said street, for said distance, shall be called Park avenue :

And whereas, The said street has been opened to the width of seventy feet, from the west side of Broad street to Twenty-second street :

And whereas, Certain parties desire to open said street, between the said Twenty second street and Thirty-third street, and dedicate the same to public use without charge :

And whereas, Provision is made in said act to assess the damages, if any, to such owner or owners of property on the line of said street who shall refuse to dedicate the same :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners,
of highways of
Philadelphia to
open Park
avenue.

That immediately after the passage of this act, the chief commissioners of highways of the city of Philadelphia shall proceed forthwith to open Park avenue, late Diamond street, from Twenty-second street to Thirty-third street, to the width of seventy feet, subject to the conditions and provisions of the act of assembly of the commonwealth of Pennsylvania, approved the sixteenth day of March, Anno Domini one thousand eight hundred and seventy: *Provided,* That nothing herein contained shall be construed to interfere with the Odd Fellows' cemetery: *Provided also,* That the Connecting railway shall not in any way be impeded, disturbed or hindered: *And provided further,* That no portion of any alleged benefits shall be assessed on the property of the Connecting Railway Company, and that the said company shall not be deprived of their property, or have the same taken or applied, or suffer any loss, damage or injury whatever, without just compensation being first made.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 505.

An Act

Authorizing the supervisor of New Castle township, Schuylkill county, to make, repair and keep in good order and condition the public roads, bridges and culverts in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the supervisor of New Castle township, Schuylkill county, shall make and repair, and keep in good order and condition, all the public roads, bridges and culverts in said township, for the year for which he is elected to serve, and shall receive for his services, for every day for which he is in actual employment, a sum not exceeding one dollar and a half, to be fixed by the auditors of said township; and further, it shall be the duty of the auditors of said township to employ all the horses and carts required in the making, repairing and keeping in good order and condition the said public roads, bridges and culverts in said township: *Provided,* The expense of making, repairing and keeping in good order and condition said road, culvert and bridges shall not, in any one year, exceed the sum of three thousand dollars, unless by some freshet or other accident the making and repairing and keeping of said roads, bridges and culverts in good order and condition shall actually require more money; in such case the court of quarter sessions of said county, upon application of the proper officers, shall, in their discretion, direct an additional sum to be expended upon said roads, bridges and culverts; and that all laws and parts of laws inconsistent herewith be and they are hereby repealed, so far as relates to the said township of New Castle.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 506.

A Supplement

To an act, entitled "An Act to incorporate the Philadelphia Telegraph Company," approved the tenth day of February, Anno Domini one thousand eight hundred and seventy, authorizing the issue of preferred stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the Philadelphia Telegraph Company are hereby authorized to issue as preferred stock four thousand shares, in shares of fifty dollars each, to an amount of two hundred thousand dollars in addition to present capital, and they may declare dividends not exceeding ten per centum per annum in said preferred stock; but no higher dividend than ten per centum per annum shall be declared upon said preferred stock, until such times as the earnings may warrant the same dividend on the common stock; but all dividends above ten per centum shall be the same upon the preferred and common stock of the said company; and said preferred stock, and the proceeds thereof, may be applied to the purchase of patent rights, and as working capital of said company or other necessary expenses.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 507.

An Act

For the establishing of a law library in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act for the establishing of a law library in Montgomery and Perry counties," approved the

twelfth day of March, Anno Domini one thousand eight hundred and sixty-nine, with all its provisions, powers, requirements and duties, be and the same is hereby extended to the county of Bucks.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 508.

A Further Supplement

To an act appointing commissioners to lay out and open a state road from Ridgway, via Johnsonburg and Wilcox, in Elk county, to the borough of Kane, M'Kean county, approved the sixth day of April, eighteen hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the authority to issue bonds, conferred by the sixth section of said act, and the fourth section of its supplement, approved the sixth day of April, eighteen hundred and sixty-eight, the said commissioners are hereby authorized to borrow money in any amount not exceeding fifteen thousand dollars, and to issue bonds therefor, at a rate of interest not exceeding six per centum per annum, and exempt from taxation; which bonds shall be payable out of the tax funds derived from levies in the respective townships named in said act and its supplement, according to the amounts expended and required to be expended for the portion of the road therein; and the said commissioners are empowered to sell said bonds at such price, less than par, as will in their opinion be for the best interests of the road; and all sales of bonds heretofore made shall be held and deemed valid and regular.

Commissioners
may borrow
money and
issue bonds.

Interest.
How payable.

May be sold.

SECTION 2. That the powers conferred and duties enjoined on said commissioners shall continue in force for six years from the time taxes were first levied under its provisions; that for the year eighteen hundred and seventy-one, and annually thereafter, during said term, the said commissioners are hereby empowered to levy a tax not exceeding ten mills on the dollar of the adjusted valuation in Kane and Sargent townships, M'Kean county, and in Jones, Ridgway and Ben-

Limitation.

Tax.

zinger townships, in Elk county; and the alterations of township lines made since the passage of the act to which this is a supplement shall not affect the liability of property therein to taxation.

Additional
commissioners

SECTION 3. That Jacob V. Houk, George D. Messenger, Charles Weis and B. D. Hall are hereby appointed additional commissioners of the said state road, with all the powers and responsibilities imposed by the original act authorizing said road, and the supplements thereto.

Extensions,

SECTION 4. The commissioners of said road are hereby authorized to extend said road from Ridgway to the borough of St. Mary's, in the same manner and upon same conditions as are provided for the survey, location and construction of the road as originally authorized.

Annual settle-
ments.

SECTION 5. The annual settlements of the amounts of said commissioners shall hereafter be made by the county auditors of Elk county, instead of the auditors of M'Kean county, as heretofore required.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 509.

A Supplement

To an act, entitled "An Act to incorporate a company to erect a bridge over the river Schuylkill, at or near the Swede's Ford, in the county of Montgomery," approved March thirtieth, one thousand eight hundred and forty-eight, authorizing said company to capitalize their floating debt, and also to lease their bridge and appurtenances to the Philadelphia and Reading Railroad Company.

May increase
capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said bridge company, incorporated as the president, managers and company of the Schuylkill bridge and Swede's Ford, to increase their capital stock to any sum not exceeding nine thousand dollars, and sell the same and apply the proceeds thereof to the payment of their floating debt and liabilities.

SECTION 2. That it shall and may be lawful for the said company to lease their bridge and appurtenances to the Phila-

delphia and Reading Railroad Company, on such terms and conditions as may be agreed upon; and the said railroad company may become the lessees thereof and agree to the payments and covenants in such lease.

May lease to Philadelphia and Reading railroad.

SECTION 3. *Provided*, That nothing contained in this act shall be so construed as to close said bridge against foot passenger or wagon travel, but shall be kept open at all times for said travel.

Proviso.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 510.

An Act

To authorize the school directors of the borough of Butler to sell certain lands in said borough.

WHEREAS, Samuel Cunningham, deceased, did in his lifetime, by a certain indenture made August first, Anno Domini one thousand eight hundred and five, grant to the town of Butler, (now the borough of Butler) in the county of Butler, a certain piece, parcel and message of land:

Preamble.

And whereas, The citizens of said borough are desirous that the school directors of the borough aforesaid be authorized and empowered to sell the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the school directors of the borough of Butler, county of Butler, and their successors in office, are hereby authorized and empowered to sell at public or private sale, in lots and sub-divisions, as to said directors may seem fit, and to execute good and valid deeds to the purchaser or purchasers for the same, of all that certain piece, parcel or message of land, known as Quarry Reserve, lying between Washington street on the west and M'Kean street on the east, and what was formerly the southern boundary line of said borough on the south, and the laid out lots of said borough on the north, which piece of land was set apart and dedicated to public uses as a Quarry Reserve in the original plan of the town of Butler.

Directors may sell land.

SECTION 2. That the net proceeds of such sale or sales be paid into the treasury of the said school district, to be appro-

Disposition of proceeds.

priated and applied towards erecting a suitable building for school purposes for said borough.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY, /

No. 511.

An Act

To incorporate the Mercantile Printing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John A. Fowler, S. S. Moon and Ambrose Shapley, and their successors, are hereby constituted a body politic, under the name, style and title of the Mercantile Printing Company of Philadelphia, with a capital of twenty thousand dollars, to be divided into shares of the value of twenty-five dollars each, with the privilege to increase the same by a vote of the stockholders, at an annual or special meeting, from time to time, to an amount not exceeding two hundred and fifty thousand dollars, and with authority to have and use a common seal, and the same to change at pleasure; and by the style and title aforesaid shall be capable in law to sue and be sued, and the said association may make all needful rules, regulations and by-laws for the management of the business of the corporation, and upon the filing a duly proved certificate of the president and directors of said company in the office of the secretary of the commonwealth, may change the name of said corporation; the affairs of the company shall be managed by a board of directors not exceeding seven, who shall choose one of their number president, and another secretary and treasurer; the first board of directors of said company shall be elected by a majority of the corporators, and said directors shall afterwards be elected annually at meetings of the stockholders called for the purpose; and at such elections each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.

SECTION 2. The business of said association shall be confined to printing and publishing in all its branches, and the management of such real estate as they may purchase for the use of the said association; and the said association shall

Corporators.

Name.

Capital.

Privileges.

May change name.

Officers.

Business.

have power to issue bonds for the completion of improvements, at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal the amount of the capital stock of said company, and secure the same by mortgage on the real and personal property and franchises of the corporation: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each, and shall be redeemable within twenty years. May issue bonds. Proviso.

SECTION 3. No certificate of stock shall be issued by said association until the full amount of the par value of the same shall be paid in cash or in real or personal estate; and the directors shall declare dividends annually or semi-annually, as the profits of the corporation shall warrant.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 512.

A Supplement

To an act, entitled "An Act to incorporate the First Reformed congregation of the borough of York and its vicinity."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the First Reformed congregation of the borough of York and its vicinity, may purchase and hold, in fee simple, one hundred acres of land in addition to the quantity they are now authorized to hold, to be laid out and used as a cemetery, subject to the same rules, regulations, by-laws and privileges as their present cemetery: *Provided*, That the whole quantity of land which the said trustees may hold for such purpose shall not exceed two hundred acres of land. Trustees may purchase additional land. Proviso.

SECTION 2. That said trustees shall have full power to sell or dispose of such land, now held by them for the purposes aforesaid, or that they may hereafter acquire, as may not be suitable for purposes of burial. May sell land.

SECTION 3. That when, by mistake or otherwise, any person shall have been, or may hereafter be, buried in said cemetery, in the wrong lot, or in a lot not the property of the deceased person, or the family to which such deceased person may belong, the said trustees shall have power to remove the body May remove bodies.

Proviso.

of the deceased person so buried and inter the same in the proper lot: *Provided nevertheless*, That the said trustees shall give at least ten days' notice to the friends or relatives of such deceased person, to remove his body aforesaid, before removing the same.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 513.

An Act

Placing so much of the Warren and Ridgway turnpike, as lies in Forest county, under the control of special road commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the road commissioners of Howe township, in Forest county, shall be relieved of the duty of repairing and maintaining that part of the public road (formerly the Warren and Ridgway turnpike) which is located in said Howe township.

Commissioners of Howe township relieved of repairing certain road.

SECTION 2. That D. F. Anderson and Curtis Gilson are hereby appointed a board of commissioners, whose duty it shall be to keep in good order and repair for travel the road aforesaid.

Special commissioners.

SECTION 3. That any vacancy in said commission shall be filled by the court of quarter sessions of Warren county, by appointment.

Vacancies.

SECTION 4. The said road commissioners, and their successors in office, shall be entitled to receive the sum of two dollars a day each for every day employed in the supervision of repairs on said road, and shall annually settle their accounts with the auditors of Sheffield township, in Warren county.

Compensation.

SECTION 5. The said commissioners and their successors shall be subject to the same penalties, to be recovered in the same manner as are provided in the case of delinquent supervisors, by the fourteenth section of the act approved the fifteenth day of April, one thousand eight hundred and thirty-four.

Penalties.

SECTION 5. It shall be the duty of the commissioners of Forest county to pay to the said board of road commissioners

one-fifth of the whole amount of road taxes assessed for each and every year hereafter, on the unseated lands of Howe township, in said county, by order drawn on the treasurer of said county, on the fourth Monday of May annually. One fifth of road taxes to be paid to special commissioners.

SECTION 7. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repeal.

J. D. M'JUNKIN,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 514.

An Act

To authorize the road commissioners of Venango township, in the county of Erie, to erect a town hall, and to levy and collect taxes therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of the township of Venango, in the county of Erie, are hereby authorized and empowered to erect and complete, at such point in said township as they may deem advisable, a town hall for election and other purposes. Commissioners of Venango township may erect hall.

SECTION 2. Said commissioners are authorized and empowered to use in the erection and completion of said town hall any money now in the road fund treasury of said township as may not be otherwise appropriated; and they shall also have power, for the same purpose, to levy and collect a tax, not exceeding one mill per dollar on the present valuation of said township: *Provided,* That the surplus money, if any, after the erection and completion of said hall, shall be placed in the treasury, to be used for road purposes in said township. May use road funds for that purpose, not otherwise appropriated. Proviso.

SECTION 3. That after said house shall have been erected in pursuance of the provisions of this act, the qualified electors of said townships shall hold their township and general elections therein. Hall to be used for elections.

J. D. M'JUNKIN,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 515.

An Act

To repeal an act relating to roads in East Fallowfield township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, entitled "An Act relative to roads in East Fallowfield township, Chester county," approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-six, be and the same is hereby repealed, so far as the same relates to the township of East Fallowfield, in Chester county; and that hereafter the supervisors of roads in said township shall be elected, and the roads made and repaired, under the provisions of the general road laws of this commonwealth: *Provided,* That the supervisors elected under the provisions of said act of sixteenth day of March, one thousand eight hundred and sixty-six, shall continue in office, and perform the duties of supervisors, under the general road laws, during the terms for which they were respectively elected; and that hereafter the number of supervisors shall be three, to be elected annually.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 516.

An Act

To extend to the county of Forest the provisions of an act, entitled "An Act to increase the pay of road and bridge viewers and surveyors in the county of Susquehanna."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act approved the tenth day of

April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to increase the pay of road and bridge viewers and surveyors in the county of Susquehanna," be and the same are hereby extended to the county of Forest.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 517.

An Act

Authorizing the commissioners for the removal of bodies from the old Methodist burying ground in the city of Pittsburg to borrow money.

WHEREAS, Under the act, entitled "An Act for the vacation and sale of the Methodist burial ground in the city of Pittsburg, and for removing the bodies therefrom," approved the thirteenth day of April, one thousand eight hundred and sixty-seven, and the supplement thereto, approved the fourteenth day of February, one thousand eight hundred and sixty-eight, the commissioners appointed by said supplement have already expended a large sum of money in removing bodies from said burial ground, and a large sum is needed still to remove the remaining bodies:

And whereas, It may be deemed advisable by the said commissioners to sell said property, on reasonable time, for a part at least of the purchase money, when the same shall be sold under the provisions of said act; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said commissioners be and they are hereby authorized to borrow such sums of money as may be necessary to pay off the expenses already incurred, and what may be necessary to complete the vacation and sale of said premises, in pursuance of said acts of assembly, and to give a mortgage on said premises for the payment thereof, on such time, terms and conditions as they may deem most advisable, and for the best interests of the parties concerned in said graveyard: *Provided however,* That the rate of interest on such loan shall not exceed eight per centum per annum.

Commissioners
may borrow
money.

Proviso.

May sell burial
ground.

SECTION 2. The said commissioners, in making the sale as provided for in said recited act, may sell the said premises for all cash or part cash and part on time, and such time as they may deem best and most judicious.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 518.

An Act

To provide that the term of the controller of Allegheny county shall expire on the first day of March, instead of the first day of February.

WHEREAS, The term of treasurer of Allegheny county ends on February twenty-ninth, one thousand eight hundred and seventy-two, and the term of controller of said county ends on January thirty-first, one thousand eight hundred and seventy-two; and it being necessary that the terms of these two fiscal officers should terminate at the same time; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term of the controller of Allegheny county shall hereafter commence on the first day of March, subsequent to his election, instead of first day of February; and the time of the present controller is hereby extended to March first, one thousand eight hundred and seventy-two.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 519.

An Act

Relative to the payment of costs in the court of quarter sessions of
Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter no defendant or defendants in any case or cases tried in the court of quarter sessions of Lancaster county, who shall be found not guilty by the jury, shall be sentenced by the said court for the payment of any costs of the commonwealth of Pennsylvania, which have accrued after the first term of the court to which the complaint or complaints in the respective case or cases were returned: *Provided,* That the said case or cases are not continued at the instance of the defendant or defendants.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 520.

A Supplement

To an act to erect the town of Montrose, in the county of Susquehanna, into a borough, approved March twenty-ninth, one thousand eight hundred and twenty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the borough election held next after the passage of this act, the qualified voters of the said borough of Montrose shall elect three members of the town council of said borough, to serve for the term of one year, three members to serve for the term of two years, and three members to serve for the term of three years; and at each borough election thereafter they shall elect three members of said town council, to serve for the term of three years.

SECTION 2. All acts or parts of acts inconsistent herewith or supplied hereby are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 521.

A Supplement

To an act, entitled "An Act appointing commissioners to lay out and open a state road in the counties of M'Kean, Elk, Forest and Clarion," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers conferred, and duties enjoined, on said commissioners, shall continue in force an additional term of three years; that for the year eighteen hundred and seventy-one, and annually thereafter, during said term, the said commissioners are hereby empowered to levy an amount, not exceeding fifteen mills on the dollar of the adjusted valuations; and the alteration of township lines, made since the passage of the act to which this is a supplement, shall not affect the liability of property therein to taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 522.

An Act

To authorize the road commissioners and school directors of Farmington township, Warren county, to unite in erecting a school house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the road commissioners of Farmington township, Warren county, are hereby authorized and empowered to unite with the school directors of said township in building a school house near Farmington Centre, in school sub-district number five; and for this purpose, the said road commissioners shall have full power to levy and collect by special tax, or to use out of the township funds regularly collected, at their discretion, such sum of money as, added to the amount raised and appropriated to the purpose of said building by said school directors, shall not exceed two thousand dollars.

Road commissioners may unite with school directors to build school house.

May levy special tax, or use township funds.

Limitation.

SECTION 2. The road commissioners of said township shall have the entire use and control of said house on election days, and may use the same, for all proper township purposes, at all other such times as the same is not in use for school purposes: *Provided*, Due care shall be taken not to injure any books, apparatus or other property belonging to said school.

House to be used for elections, &c.

Proviso.

SECTION 3. The said road commissioners and school directors shall meet together at such time or times as they may fix, and adopt such rules, regulations and restrictions as to the control and use of the said house, for other than school and township purposes, as a majority of said boards collectively shall determine; but said house shall not be sold, or in any wise permanently disposed of for any purpose other than as herein provided, without the concurrent action of the separate boards of school directors and road commissioners of said township.

Commissioners and directors may make regulations jointly.

House not to be sold or disposed of without concurrent action.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 523.

An Act

To authorize the school directors of Smithfield township, Bradford county, and Madison township, Luzerne county, to borrow money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Smithfield township, Bradford county, and Madison township, Luzerne county, are hereby authorized and empowered to borrow any sum of money which they may deem necessary, not exceeding the sum of three thousand dollars, for building purposes, and issue bonds or execute notes therefor payable at any time not exceeding three years, and at such rate of interest as may be agreed upon, not exceeding ten per centum.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 524.

A Supplement

To an act, entitled "An Act to prevent cattle, horses, sheep and hogs from running at large in Farmington and Columbus townships, Warren county," approved March fourteenth, one thousand eight hundred and seventy, extending the same to Conewango township, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved March fourteenth, one thousand eight hundred and seventy, entitled "An Act to prevent cattle, horses, sheep and hogs from running at large in Farmington and Columbus townships, Warren county," be extended to the township of Conewango, in said county, and that geese be

Provisions of
act extended to
Conewango
township.

included in its prohibitions, as applied to said township of Conewango.

SECTION 2. That the commissioners of Conewango township shall perform the same duties and have the the same powers, in carrying out the provisions of this act, as the constable of said township has. Commissioners to have same powers as constables.

SECTION 3. This act shall take effect from and after the first day of September, one thousand eight hundred and seventy-one. When act to take effect.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 525.

An Act

Granting Acenith M'Guinn, of Fayette county, widow of William M'Guinn, a soldier of the war of Anno Domini one thousand eight hundred and twelve, a gratuity and annuity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to Acenith M'Guinn, widow of one William M'Guinn, soldier of the war of one thousand eight hundred and twelve, or her attorney in fact, a gratuity of forty dollars and an annuity of forty dollars per annum, dating from the first day of June, Anno Domini one thousand eight hundred and sixty-nine, to the first day of June, Anno Domini one thousand eight hundred and seventy-one, and the same from and after the passage of this act, payable semi-annually, dating from June first, one thousand eight hundred and seventy-one, after proof by affidavit annually made that the said applicant is living: *Provided,* When the said Acenith M'Guinn receives a pension from the United States government the pension allowed her by this act shall cease.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 526.

A Supplement

To an act, entitled "An Act to prevent cattle, horses, mules, sheep goats and swine from running at large in the townships of Sugar Grove and Freehold, in the county of Warren, and Plum township, Venango county," approved March twenty-seventh, Anno Domini one thousand eight hundred and sixty-nine, extending the same to Brokenstraw township, in Warren county, and Hanover township, Lehigh county.

Provisions of
act extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to prevent cattle, horses, mules, sheep, goats and swine from running at large in the townships of Sugar Grove and Freehold, in the county of Warren, and Plum township, Venango county," approved March twenty-seventh, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby extended to the township of Brokenstraw, in Warren county, and Hanover township, Lehigh county.

SECTION 2. The penalty for allowing sheep to run at large, provided for in the first section of the act to which this is a supplement, shall be so far modified for the said township of Brokenstraw as to make the same fifty cents per head.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 527.

An Act

To authorize the re-assessment of property in Irwin borough, Westmoreland county.

WHEREAS, The assessment of property in the borough of Irwin, Westmoreland county, as made for the year one thousand eight hundred and seventy-one, appears to be unequal and unjust; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

The commissioners of Westmoreland county are hereby authorized and required to appoint an assessor and two assistant assessors, citizens of Irwin borough, whose duty it shall be, within ten days of their appointment, to re-assess the taxable property of said borough and make return thereof to the county commissioners.

Commissioners to appoint assessors for Irwin borough.

Duties.

SECTION 2. The taxable inhabitants of said borough shall receive the usual notices as to the valuation of their property and the time of holding appeal, and shall have the same right of appeal as now allowed by law.

Notice of time for holding appeals.

SECTION 3. All laws inconsistent herewith be and the same are hereby repealed.

Repeal.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 528.

A Supplement

To an act to incorporate the Warren and Jefferson Railroad and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, changing the amount of the capital stock, and extending the time for payment of the enrolment tax upon the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the capital stock of the Warren and Jefferson Railroad and Coal Company shall consist of one hundred thousand dollars, and divided into shares of one hundred dollars each; and it shall be lawful for said company, upon a vote of the majority of the stockholders, at any stated or special meeting convened for that purpose, to increase the capital stock to any amount sufficient to complete and equip said road and carry out the true intent and meaning of this act.

Capital stock.

Increase.

SECTION 2. That the time for the payment of the enrolment taxes on said act to which this is a supplement, is hereby extended one year from the passage of this act; and that the coporators named in the first section of the act to which this is

Time for payment of enrolment tax extended.

Corporators to continue to be directors.

a supplement, shall become and continue until the third Monday in January, Anno Domini one thousand eight hundred and seventy-two, and until their successors are elected and qualified directors of said company, with power to elect a president, secretary and treasurer from their number, as provided in the sixth section of said act; and that all acts or parts of acts inconsistent with this are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 529.

An Act

To authorize the burgess and council of Union Mills, Erie county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess and council of the borough of Union Mills, in the county of Erie, be and the same are hereby authorized to borrow money, and for that purpose to issue bonds or certificates of indebtedness, under the corporate seal of said borough, signed by the burgess and clerk of said borough, to an amount not exceeding twenty thousand dollars, in sums of not less than one hundred dollars each, with or without coupons, at a rate of interest not to exceed eight per centum per annum, payable annually and at such times as said burgess and council shall determine, but for a time not exceeding fifteen years from the date of issue of the same.

SECTION 2. Said burgess and council shall have power annually to levy and collect a tax, in addition to other taxes, upon all property in said borough subject to taxation, sufficient to pay the interest on said bonds or certificates as it falls due, and to pay the principal at maturity, not, however, to exceed one per centum per annum; and said burgess and council, or any officer by them authorized, may negotiate and sell said bonds or certificates, or any part thereof, at a price not less than eighty per centum on the dollar.

SECTION 3. That the proceeds of said bonds or certificates sold shall be applied and used solely for the purpose of pay-

Burgess and council may borrow money and issue bonds.

Limitations.

Interest.

Time.

May levy and collect additional tax.

May sell bonds.

Application of proceeds.

ing the indebtedness of said borough, for improvements already made, and to purchasing the right of way and opening High street to Main street, in said borough, and to the purchase of a fire engine and hose, and making other necessary improvements in said borough.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 530.

An Act

Modifying the first section of an act, approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, relating to cattle running at large in certain townships in Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, relating to horses and cattle running at large in certain townships of Dauphin county, shall not be construed to prohibit cattle owned in the township of Susquehanna from running at large.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 531.

An Act

Appointing commissioners to lay out and construct a road from Babb's creek to the coal mines at Antrim, in Tioga county.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Commissioners. That William Bache, W. W. Babb and Samuel Doane are hereby appointed commissioners to lay out and open a public road in the township of Morris, in the county of Tioga, to commence at or near the bridge crossing Babb's creek, near the house of William W. Babb, and terminating at or near the coal mines at Antrim, in said county, connecting at its termination with the public road leading to Wellsboro'.
- Location of road.
- Road taxes on unseated lands appropriated to road.
- SECTION 2.** That one-half the road taxes of said township of Morris, arising from unseated lands, shall be and the same are hereby appropriated to the construction of said road, and the tax so appropriated shall be for the year one thousand eight hundred and seventy, and years immediately following, until the cost of constructing said road shall be fully paid; and the treasurers and collectors of road taxes of said township of Morris, and the treasurer of said county of Tioga, are hereby authorized and required to pay to the said commissioners the taxes hereby appropriated so fast as the same shall come into their hands.
- Duties of commissioners.
- May borrow money.
- SECTION 3.** That said commissioners, or a majority of them, shall, as soon as practicable, proceed to lay out, open and make the said road by the best and most convenient route, and for the purpose of finishing the same as soon as may be, shall have power to borrow, at a rate of interest not exceeding seven per centum, and appropriate to that purpose any sum or sums of money not exceeding the amount absolutely necessary, according to the best of their judgment, for the completion of said road within reasonable time, pledging the aforesaid taxes on unseated lands for the payment of the principal and interest of such loan; and the said road shall be opened of the width of fifty feet, with a wagon track of such width as in the opinion of said commissioners will be most conducive to the public good, and with a grade in no case exceeding five feet in the distance of one hundred feet from a horizontal line.
- Width of road.
- Commissioners to report to quarter sessions
- Report and draft to be recorded.
- SECTION 4.** That when said road shall have been completed, said commissioners shall make a report of the location of the road as laid out by them, signed by them, or a majority of them, accompanied by a draft of the same, with the courses and distances thereon marked, which shall be deposited with the clerk of the court of quarter sessions of Tioga county, and shall be recorded the same as other roads; and thenceforth said road shall be a public highway and shall be kept in

repair by the township as other public roads are kept in repair; and said commissioners shall prepare and sign, in like manner, a fair and correct statement of their receipts and expenditures under the provisions of this act, and deposit the same with the proper clerk of said township of Morris; and the said accounts shall be audited as the accounts of the supervisors of roads are by law audited.

Statement of receipts and expenditures.

SECTION 5. In case any one or all of said commissioners shall refuse or neglect to assume and perform the duties herein prescribed, or shall resign or die, the court of quarter sessions of Tioga county shall, upon due ascertainment of such fact, appoint another or others in his or their stead; and before the commissioners herein appointed, or appointed by said court, shall undertake the duties of their office, they shall execute a bond to the commonwealth in the penal sum of four thousand dollars, with at least one sufficient surety, conditioned for the faithful application of the moneys received by them, and for the faithful discharge of the duties of their office; which bond shall be approved by one of the judges of the said court, and shall be filed of record therein.

Vacancies.

Commissioners shall execute bonds.

SECTION 6. In case any claim for damages shall be made by reason of the location of said road, it shall be the duty of said commissioners to decide whether such claimant be justly entitled to compensation or otherwise, and if so entitled they shall fix the sum to be paid to such claimant, and make report thereof to the court of quarter sessions of said county; which report shall be final and conclusive, and the damages so assessed shall be paid by the county of Tioga.

Commissioners to adjust claims for damages.

SECTION 7. The commissioners aforesaid shall be entitled to a compensation of two and a-half dollars each per day for the time necessarily spent by them in the location of said road, to be paid by the county, as other road views are now paid, and to a like compensation for time so spent in the construction of the same, to be paid out of the fund hereby created.

Compensation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 532.

An Act

To prevent the hunting of deer with hounds or dogs in Clinton, Washington and Brady townships, in the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful to worry, hunt or kill with hounds or dogs any deer or fawn in Clinton, Washington and Brady townships, in the county of Lycoming.

Hunting deer or fawns with dogs, prohibited

Conviction before alderman or justice to be final.

Fine.

Distress and imprisonment on refusal to pay.

Proviso.

Repeal.

SECTION 2. Any person offending against the provisions of this act, and being thereof convicted before any alderman or justice of the peace of the said county of Lycoming, whose decision shall be final, either by confession of the party so offending or by the oath or affirmation of one or more witnesses, shall for each and every offence forfeit the sum of fifty dollars, one-half to the informer and one-half to the use of the county, which forfeiture shall be levied by distress and sale of the offender's goods and chattels; and for want of such distress, if the offender shall refuse to pay such forfeiture, he shall be committed to the jail of said county for the space of ten days without bail or mainprize: *Provided however,* That such conviction be made within six months after the commission of the offence.

SECTION 3. All acts or parts of acts inconsistent herewith are hereby repealed.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 533.

An Act

To incorporate the Pequea and Martic Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That George M. Steinman, Maris Hoopes, Robert S. Potts, John Armstrong, Amos M'Callister, William Good, George Shoff, John J. Good, John B. Good and Christian Good, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Pequea and Martie turnpike road, with power to construct a turnpike road from a point in Pequea township, at M'Callister's Cross Roads, (being the terminus of the Lancaster and New Danville turnpike road,) to a point in Martie township, at or near John B. Good's mill, and to change the bed of any public road on the route when it may be deemed expedient, subject to all the provisions and restrictions, and with all the powers and privileges contained in the act regulating turnpike and plank road companies, approved the twenty-sixth of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except that the said company may erect toll-gates and charge tolls upon the completion of said road, although the same shall not extend five miles in length.

Commissioners.

Name.

Location of road.

Privileges and restrictions.

SECTION 2. That the said company may within five years extend their road from John B. Good's mill to the York furnace bridge, or any intermediate point, if deemed expedient by the directors and approved by a majority of the stockholders.

Extension.

SECTION 3. The capital stock of the said company shall consist of three hundred shares, at fifty dollars a share: *Provided*, That the said company may by a vote of stockholders, at a meeting called for that purpose, increase the capital stock so much as may be deemed necessary to complete the road or construct an extension thereto.

Capital. †

SECTION 4. That if the said company shall not commence the said road within two years from the passage of this act, and complete the same within four years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

Limitation.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 534.

An Act

To repeal an act, entitled "An Act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run township, Washington county," so far as relates to Uwchlan township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run township, Washington county, approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-four, be and the same is hereby repealed so far as it relates to Uwchlan township, Chester county.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 535.

An Act

To authorize the burgess and council of the borough of Muncy, Lycoming county, to erect or construct a lock-up house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Muncy, in the county of Lycoming, be and they are hereby authorized and empowered to have built, or otherwise provided or supported in or near said borough, at the expense thereof, a suitable building or place for the security and temporary detention of any person or persons committed by a justice of the peace or burgess of said borough for any violation of the laws of this commonwealth, or of the ordinances of the bor-

Burgess and council may provide lock-up house.

ough aforesaid, for which such person or persons could be lawfully committed to the common jail of said county, if committed for an indictable offence, or until discharged according to law: *Provided*, That no person or persons shall be confined in said lock-up house at any one time for a longer period than forty-eight hours, except such person or persons be charged with an indictable offence, and it be necessary to detain such person or persons for legal examination.

Who may be committed.

Proviso.

SECTION 2. That the legal fee for the arrest, commitment and safe-keeping of any person or persons in said house, on the charge of any indictable offence, shall be taxed by the burgess and paid by the prosecutor or defendant, or the county of Lycoming, as the issue of the case may require and be determined.

Fee.

SECTION 3. That the burgess and town council of said borough, or a majority of them, may appropriate and pay for the erection or providing of said lock-up house, and shall appoint a proper person to keep said lock-up house, and pay for such services, from time to time, whatever the said burgess or town council, or a majority of them, may deem just and proper; said sums to be paid out of the funds of said borough: *Provided*, The cost for the erection of said lock-up house shall not exceed five hundred dollars.

May appoint keeper and pay for services.

Proviso.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 536.

An Act

Vacating a portion of Franklin street, city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the vacation by ordinance enacted by the city of Pittsburg, in select and common council assembled, on the twenty-eighth day of December, one thousand eight hundred and seventy, recorded January twenty-first, one thousand eight hundred and seventy-one, in Pittsburg ordinance book, volume third, page twenty-sixth, of Franklin street, in said city, so far as it embraces the following described piece of ground, viz: Beginning at the corner of Franklin and Roberts street;

thence along Roberts street thirty-eight feet, four and one-half inches; thence at right angles with Roberts street, eighty-four feet, two and one-third inches, to a twenty foot alley; thence along said alley northwardly five feet to Franklin street, and thence along Franklin street ninety feet, six inches, to the beginning, is hereby ratified and confirmed, and the said part of Franklin street, in the city of Pittsburg, is hereby vacated.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 537.

An Act

To extend the provisions of an act, entitled "An Act regulating the election of burgess and town council of the boroughs of Indiana and Brookville, fixing their terms of office and increasing their powers," to the borough of Lawrenceburg, in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act regulating the burgess and town council of the boroughs of Indiana and Brookville, fixing their terms of office and increasing their powers," approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby extended to the borough of Lawrenceburg, in the county of Armstrong.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 538.

An Act

To extend the provisions of an act relating to the better prosecution of disorderly persons in the boroughs of Sharpsburg and Etna, to the boroughs of Temperanceville and West Pittsburg, Allentown, Birmingham, South Pittsburg and Sewickley and Union, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act for the better prosecution of disorderly person in the boroughs of Sharpsburg and Etna, in the county of Allegheny," approved the fourth day of March, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the borough of Temperanceville, and the boroughs of West Pittsburg, Allentown, Birmingham, South Pittsburg, Sewickley and Union, in said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 539.

An Act

Authorizing the Franklin County Fruit Growers Association to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, secretary and treasurer of the Franklin County Fruit Growers Association are hereby authorized and empowered to borrow, on the credit of the said association, any sum or sums of money not exceeding fifteen thousand dollars, and to issue bonds or other evidences of indebtedness

therefor, bearing any rate of interest not exceeding eight per centum per annum ; said bonds or evidences of indebtedness to be exempt from all taxation, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 540.

A Supplement

To an act, entitled "An Act to incorporate Maplewood Institute, at Concordville, in the county of Delaware," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of Maplewood Institute shall be divided into three thousand shares, of ten dollars (\$10) each, with the privilege of increasing it, by a vote of the stockholders holding two-thirds of the stock, to five thousand shares of ten dollars each, and any person holding one share shall be entitled to one vote, and each additional share of stock shall entitle the holder to an additional vote.

SECTION 2. After the passage of this act the trustees shall be elected annually by the stockholders, at such time and place as shall be appointed by the by-laws ; a written notice of the annual election of the trustees shall be given by the secretary of the board to each stockholder, or published in one of the newspapers of said county at least ten days previous to the time of holding such election ; and if at any time it shall occur that no election shall be held on the day and place appointed, the officers last elected and in office shall continue in office until others be duly elected.

SECTION 3. The number of trustees shall not exceed twenty-one, and may be limited by the by-laws to any number not less than nine, and may be male or female ; the trustees shall be elected for one year, and shall continue in office until others shall be elected, except that in case of death, resignation or inability, by reason of lunacy or otherwise, to serve, the place of the person so dying, resigning or unable to serve, may be supplied till the next election by an appointment by

Capital.

Voting.

Election of trustees.

Notice.

Number of trustees.

Vacancies.

the board of trustees; the said trustees shall appoint one of their own number to serve as president, one as secretary and one as treasurer.

SECTION 4. The trustees shall cause to be made, for their own use, a common seal, with such device and inscription thereon as they may think proper, by and with which seal all deeds, certificates and acts of said corporation shall be authenticated; the same seal they may, at their pleasure, break, alter or renew, and if they think proper they may cause a new one to be made.

SECTION 5. That said trustees shall procure written or printed certificates, and deliver to each stockholder a certificate, signed by the president of the board of trustees, countersigned by the secretary, and sealed with the seal of said corporation, for the share or shares of stock by him or her held or subscribed, upon the payment to the treasurer of the full sum due thereon; and such certificate of stock shall be transferable at pleasure, in person or by attorney, in the presence of the president or treasurer; and the assignee holding any certificate, first having caused the assignment to be entered in the book to be kept for that purpose by the said trustees, shall be deemed a member of the corporation and entitled to all the rights and privileges of an original subscriber of said stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 541.

An Act

Authorizing the Green Hill Building and Loan Association of Philadelphia to issue shares of stock of the said corporation to the number of five thousand, of the nominal value of two hundred dollars each.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of incorporation of the Green Hill Building and Loan Association of Philadelphia be and the same is hereby altered and amended, so that hereafter the said corporation shall have power and be fully authorized to issue

shares of stock in the said corporation to the number of five thousand, of the nominal value of two hundred dollars each: *Provided*, That at no time shall the said corporation issue more than five thousand shares; and so much of any act of assembly as is inconsistent herewith is hereby repealed, in so far only however as respects the said the Green Hill Building and Loan Association of Philadelphia.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 542.

A Supplement

To the act, entitled "An Act authorizing a state road to be laid out from the borough of Media, in the county of Delaware, to Lancaster avenue, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Width of road.

That the state road mentioned in the act to which this is a supplement, be extended of the width of sixty feet, in a direct line from its present terminus at Lancaster avenue, to Fifty-second, at as near the crossing of the Pennsylvania railroad as the depot of said railroad company will permit, without interfering with said depot.

City councils to put portion of road on plans of city and open.

SECTION 2. The councils of the city of Philadelphia are hereby authorized and directed to have the portion of the road hereby laid out, placed upon the plans of said city, and to have the same opened and made fit for travel without delay; the damages for said opening to be paid in the same manner as damages for opening streets in said city are now payable.

J. D. M'JUNKIN,
Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 543.

An Act

Securing to owners of seated lands sold for taxes in Forest county, the right to redeem the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved the twenty-third day of February, Anno Domini one thousand eight hundred and seventy-one, entitled "An Act relating to the return and sale of seated lands for taxes in the county of Forest," shall be so construed as to give to the owners of seated lands, sold for taxes in said county, the right to redeem the same in the manner and upon the same conditions as are now provided for the redemption of unseated lands sold for taxes: *Provided,* That when seated lands have been sold for taxes prior to the said act, and the owner thereof had not received actual notice thereof, the same may be redeemed at any time within two years from the date of said act.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 544.

An Act

To incorporate the Masonic Home of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert A. Lamberton, Christian F. Knapp, Henry B. M'Kean, Michael Nesbit, John A. Wright, D. W. C. Carroll, Senior, L. Hutchison, Samuel B. Dick, James M. Porter and James H. Hopkins, their associates and successors, be and they are hereby created a body corporate and politic, with

Corporato:s.

Name.	perpetual succession, by the name, style and title of the Masonic Home of Pennsylvania, and by that name are made
Powers and privileges.	capable in law and equity sue and be sued, plead and be impleaded, contract and be contracted with, and to make, have and use a common seal, and the same to break, alter, renew at pleasure, ordain by-laws, and shall have the right to take and hold, by purchase, gift or devise, real and personal estate, free from all taxation, for the purposes hereinafter named, and to sell, convey or exchange the same at pleasure.
Property exempt from taxation.	
Object of corporation.	SECTION 2. The object of said institution shall be to provide and sustain, in the state of Pennsylvania, one or more houses for destitute widows and orphans of deceased Freemasons of the state of Pennsylvania, and infirmary or infirmaries, for the reception and care of sick and afflicted Freemasons in indigent circumstances, and all such as may be placed under its charge by its managers.
Membership.	SECTION 3. The membership of said institution shall consist of life members, active members and representatives of Masonic bodies, under such regulations as the committee of management may prescribe; all of whom shall be Freemasons.
Election of committee of management.	SECTION 4. There shall be a meeting of the members of the institution called within three months after the passage of this act, for the purpose of electing members of the committee of management, prescribing its constitution and general rules and regulations for the government of the institution; said committee of management shall elect one of their own members a president, and shall appoint a secretary, treasurer, surgeon and such other officers and agents as may be necessary.
Officers.	
Elections to be held annually.	SECTION 5. Elections for such members of the committee of management as are not life members, shall be held annually, as the rules may prescribe; and in case of a failure to hold such election at the specific time the old members shall hold over until their successors shall be duly elected and qualified.
Misnomer not to vitiate.	SECTION 6. A misnomer of the corporation in any deed, gift, grant or devise or in any instrument, shall not vitiate the same, if the corporation shall be sufficiently described therein to ascertain the intention of the parties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 545.

An Act

To authorize the school directors of the Independent school district of Sheakleyville, Mercer county, to borrow money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the Independent school district of Sheakleyville, in the county of Mercer, be and they are hereby empowered to borrow any amount of money not exceeding five thousand dollars, payable at any time not exceeding fifteen years from the passage of this act, and to issue bonds therefor, and in sums not less than one hundred dollars each, and at a rate of interest not exceeding eight per centum per annum, signed by the president and secretary of the board of school directors of said district, for the purpose of erecting a suitable building for school purposes in ; and said bonds, so issued as aforesaid, shall be exempt from taxation except for state purposes.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 546.

A Supplement

To an act, entitled "An Act to incorporate the Home for Friendless Children for the city and county of Lancaster," approved March the twenty-ninth, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the court of common pleas of the county of Lancaster are hereby constituted ex-officio visitors of the Home for Friendless Children for the city and county of

Judges of Lancaster, ex-officio visitors.

Grand juries to visit, inspect and report.

Lancaster; and the grand juries, at the respective terms of the court of quarter sessions for said county shall, at each of said terms of said court, visit, inspect and report on the management and condition of the said the Home for Friendless Children for the city and county of Lancaster, in like manner as they are now required to visit, inspect and report on the management and condition of the prison, poor and house of employment and hospital of said county.

Commissioners to pay to trustees on recommendation of judges.

SECTION 2. Whenever, on the petition of the trustees and managers of the said the Home for Friendless Children for the city and county of Lancaster, the judges of the court of common pleas of said county shall be convinced that the said moneys are required for the proper support of the said the Home for Friendless Children for the city and county of Lancaster, the commissioners of said county shall be required to pay to the Home for Friendless Children for the city and county of Lancaster, out of the county fund, such sums, not exceeding five thousand dollars annually, as the said judges may recommend.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 547.

An Act

To prevent the destruction of fish in the East Branch of the Octoraro creek and its tributaries, in the counties of Lancaster and Chester, and in Big Elk and White Clay creek, in Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Fishing with seines, nets and traps, prohibited.

That from and after the passage of this act it shall not be lawful for any person or persons within Lancaster or Chester counties to catch or take any fish in the East Branch of the Octoraro creek, or in the East and West Branch of Big Elk and White Clay creek, and their tributaries, in Chester county, by means of any seine or seines, net or nets, trap or traps, except eel wiers, and except bait fish, or any other bait used in angling.

Penalty.

SECTION 2. That any person or persons violating the provisions of this act shall forfeit and pay the sum of ten dollars

and costs of suit for every such offence, to be recoverable before a justice of the peace by an action of debt in the name of the commonwealth, as debts are now by law recoverable, one-half for the use of the informer, who shall be a competent witness, and one-half to be paid into the treasury of the school board in said township where said offence was committed: *Provided*, That any person or persons so offending, on conviction thereof as aforesaid, who are unable or unwilling to pay said fine imposed, and the costs thereon, such person or persons are to undergo an imprisonment in the county jail for a term not more than ten days.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 548.

An Act

To authorize the erecting of a rope or wire ferry across the Juniata river, at or near the mouth of Doe run, in Walker township, Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Franklin Frankhouser, his heirs and assigns, are hereby authorized and empowered to erect, keep open and maintain a rope or wire ferry across the Juniata river, at a point at or near the mouth of Doe run, on the north side of the Juniata river, in Walker township, Juniata county, to the opposite side of said river; and all other persons are hereby prohibited from having or keeping a public ferry within one mile above or below said ferry, on said river; said ferry to be kept and maintained by said Franklin Frankhouser, his heirs and assigns, for the transportation of teams, cattle, passengers, stock, et cetera, to accommodate the public, at the following rates of toll, to wit: Each foot passenger, each way, may be required to pay a sum not exceeding ten cents; each person and horse, each way, not exceeding twelve cents; each single horse and wagon, each way, not exceeding fifteen cents; each four-horse team and wagon, not exceeding fifty cents for each trip over and return; each two-horse team and wagon, not exceeding twenty-five cents each way; each head of cattle,

Ferry authorized.

Location.

Rates of toll.

not exceeding ten cents each way, and each head of sheep and hogs, each way, not exceeding five cents each.

Penalty for violation of charter

SECTION 2. Any violation of the provisions of this act, by keeping and maintaining a ferry within the limits herein prescribed, shall subject the offender to a penalty of fifty cents for each crossing of the stream, to be recovered by suit before a justice of the peace, in the name of the said Franklin Frankhouser: *Provided*, That the enrolment tax on this act shall not exceed twenty dollars.

Enrolment tax.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 549.

An Act

To authorize the commissioners of Lehigh county to borrow money, and to legalize loans made and bonds heretofore issued.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Lehigh county be and they are hereby authorized and empowered to borrow, on the credit of said county, any sum or sums of money not exceeding fifty thousand dollars, at a rate of interest not exceeding six per centum per annum, and to issue the bonds of said county, or other evidences of indebtedness therefor; and the same shall be exempt from all taxes, except for state purposes.

Commissioners authorized to borrow money.

Interest.

Tax.

Former loans legalized.

SECTION 2. That all loans heretofore made by said commissioners, on bonds or other evidences of indebtedness issued by them, are hereby legalized and made valid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 550.

An Act

To authorize Michael Domenec, bishop of Pittsburg, to sell certain real estate, situate in New Brighton borough, Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Michael Domenec, bishop of Pittsburg, is hereby authorized to sell, grant and assure in fee simple all that lot or parcel of ground and messuage situate in the borough of New Brighton, in the county of Beaver, being portion of lots numbered in the general plan of said borough one hundred and eleven, one hundred and twelve and one hundred and thirteen, bounded on the north by Plum alley, on the east by a line parallel to Clover alley, on the south by Mill street, and on the west by said Clover alley, being sixty feet front on said Mill street, and extending one hundred and eighty feet to Plum alley aforesaid, being the same lot of ground conveyed by deed from David Kennedy and Rachael, his wife, dated sixteenth day of October, Anno Domini eighteen hundred sixty-seven, to the said Michael Domenec, in trust for the uses and purposes therein mentioned, to such person or persons for such price or prices as the said bishop shall determine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 551.

An Act

To give the consent of this commonwealth to the act of the general assembly of the state of New Jersey, incorporating the Burlington and Bristol Steamboat Ferry Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the consent of the commonwealth of Pennsylvania be and it is hereby given to the act of the general assembly of the state of New Jersey, entitled "An Act to incorporate the Burlington and Bristol Steamboat Ferry Company," approved March thirty-first, one thousand eight hundred and sixty-four; and the corporation thereby created shall have, possess and enjoy, within this state, all of the franchises granted by said bill, so far as the same are necessary to carry out the purposes of the said act of incorporation; and shall and may locate its ferry, buildings, franchises and privileges, at any point within the limits of the borough of Bristol.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 552.

An Act

To widen and pave the side-walk of College street, in Myerstown, Lebanon county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Lot owners re-
quired to widen
street.

That the owners of lots of ground respectively fronting on College street, in Myerstown, from Main street southward to a point in First street, running eastward, called Pine street, be and are hereby required to move in their fences in front of their respective lots, so as to leave foot-walks of eight feet wide on each side of College street, from Main street to Pine street.

Proceedings in
case of neglect
or refusal.

SECTION 2. That if such owner or owners shall neglect or refuse to proceed in accordance with the requirements and directions of this act, twenty days after this act shall have been a law, then it shall be the duty of the supervisors of Jackson township, Lebanon county, upon the request of any two or more citizens of Myerstown, to notify, by a written notice, such owner or owners of lots as aforesaid, who may neglect or refuse to comply with the requirements of this act, to proceed in accordance with the requirements and directions of this act; and if such owner or owners refuse or neglect to proceed with the requirements of this act ten days

after such notice was given to them by the said supervisors, then it shall be the duty of the supervisors immediately to cause the fences of such owner or owners to be removed so as to leave a side-walk eight feet wide, and collect the costs of such removal from the owner or owners, which costs shall be added to the owner or owners' road tax and collected as other road taxes are now collected by law.

SECTION 3. That if any one or more of such owners should be unwilling to lay a board, plank, brick or stone pavement or side-walk of a proper grade, at least four feet wide, in front of his or her or their lot or lots, immediately after such side-walks have been widened eight feet, then the citizens of Myerstown, or any number of them, shall have the right and privilege, at their own individual cost and expenses, to properly grade one or both of said walks and lay a board or plank walk, of at least four feet wide, on the side-walks of such owner or owners: *Provided however*, That no building or buildings shall be interfered with or molested if any should partly be on said side-walks. Citizens may make side-walk of persons refusing.

SECTION 4. That if the said supervisors, or any one of them, shall neglect or refuse to comply with the requirements of section second, then he shall be liable to pay a penalty of one hundred dollars, upon due complaint having been made and proven, before a justice of the peace, of such refusal or neglect; said penalty to be collected in the same manner as other penalties are collectible for misdemeanors in office, one-half of the penalty to be paid to the informer and the other half to the board of school directors of Jackson township. Penalty for refusal of supervisors to comply with this act.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 553.

An Act

To authorize George A. Cramer, a justice of the peace of the city of Williamsport, to keep his office in the Second ward of said city.

WHEREAS, George A. Cramer was duly elected, and on the fifteenth day of June, Anno Domini one thousand eight hundred and sixty-eight, commissioned a justice of the peace in and for the Second ward of the city of Williamsport, in the county of Lycoming:

And whereas, By a division of said ward since made, the residence of said George A. Cramer is now situate in the Eighth ward of said city :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said George a Cramer shall continue to hold and exercise the duties of his office, at the office heretofore occupied by him in the said Second ward, for which he was elected, until the expiration of his present commission.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 554.

An Act

To incorporate the Wellsboro' and State Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Robert G. White, Chester Robinson, S. F. Wilson, William Bache, Silas X. Billings, H. H. Dent, C. F. Veil, William Dent, Frank Strang, M. F. Elliott and John Baily, F. W. Huges, Woolsey Bents and Charles S. Jones, or a majority of them, and those who may be hereafter associated with them as stockholders, be and they are hereby incorporated and constituted a body politic and corporate, under the name, style and title of the Wellsboro' and State Line Railroad Company, with all the rights, powers and privileges, and subject to all the conditions and restrictions conferred or imposed by an act to regulate railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and its several supplements, so far as the same are not altered or supplied by this act; and said company shall also be entitled to all the rights, powers and privileges of any general law of this commonwealth relating to railroad companies.

SECTION 2. The said company are hereby authorized to construct a railroad with one or more tracks, commencing at

Corporators.

Name.

Powers and privileges

Subject to general laws.

Authorized to construct railroad.

Wellsboro', in Tioga county, and extending thence north-westwardly through Potter county, to a point on the northern boundary line of the state of Pennsylvania, and there to connect with any railroad now built or that may hereafter be built in the state of New York, with all the rights, powers and authority to construct and operate branches, that are now granted by law to the Philadelphia and Erie Railroad Company; all of which powers and authority are hereby vested in said Wellsboro' and State Line Railroad Company; and said company shall further have authority to make such extensions from Wellsboro', southwardly, as may in the opinion of its board of directors be needful to form such connections with other railroads as will best promote the interests of the company, and for this purpose are invested with all the powers and authority granted for making any other part of their line.

May connect with other railroads.

SECTION 3. The capital stock of the said railroad company shall consist of an amount not exceeding two millions of dollars, as may be from time to time fixed by its board of directors, with authority to borrow money on the bonds of the company, to an amount not exceeding in the aggregate four millions of dollars, at a rate of interest not exceeding seven and three-tenths per centum per annum; the payment of said bonds to be secured by a mortgage of the railroad and its franchises, lands and equipments; and said company is hereby authorized to receive donations of land or other property, or receive the same in payment of subscription or exchange for stock, on such terms and conditions as may be agreed upon between the company and the parties so donating, subscribing or exchanging, with full power and authority to said company to hold, use, mortgage, sell or otherwise dispose of said property from time to time: *Provided however*, That all lands and property, or the proceeds derived from the property so donated, contributed or received in payment or exchange for stock, shall be used exclusively to aid in securing the ultimate construction and equipment of the railway of the company.

Capital

May borrow money and issue bonds.
Interest.

How secured.

May receive land in payment of stock.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 555.

An Act

To further enlarge the powers of the Centenary Fund Society of the Erie Annual Conference of the Methodist Episcopal Church.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Centenary Fund Society of the Erie Annual Conference of the Methodist Episcopal Church shall be competent and capable, at law and in equity, to take, receive and hold, to itself and its successors, any estate in any messuage, lands, tenements and hereditaments, goods, chattels, moneys or effects, by gift, grant, bargain, sale, assurance, devise or bequest of any body corporate or politic, or of any person or persons whatsoever: *Provided,* The income of the same do not exceed in the whole the yearly value of thirty thousand dollars, and the same messuages, lands, tenements, hereditaments, estate, real or personal, to grant, bargain or sell, or to farm let or otherwise dispose of for the uses of the said society, in such manner as they or their board of trustees shall direct: *Provided,* That nothing in this act shall be so construed as to affect or in any way make valid or legal any demise or bequest made by Benjamin Chamberlain, late of the state of New York, now deceased, to said fund, or to affect the right of said fund to hold under said devise.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 556.

A Supplement

To an act, entitled "An Act to incorporate the Butchers' and Drovers' Bank, to be located in Philadelphia," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the stockholders of said bank shall be liable individually for double amounts of stock held by them respectively, and not otherwise.

J. D. M'JUNKIN,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 557.

An Act

To vacate a certain alley in the borough of Greenville, Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain alley in the borough of Greenville, in the county of Mercer, lying between lots numbered two (2) and three, (3,) in Wick and Goodwin's addition to said borough, be and is hereby vacated, and the title thereto is hereby declared to revert and become vested in the owners of the said lot numbered three (3.)

J. D. M'JUNKIN,
Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and seventy-one.

JOHN W. GEARY.

No. 558.

An Act

Providing for the appointment of an inspector of steam boilers in the counties of Schuylkill, Northumberland and Columbia by the governor of the commonwealth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the governor of the commonwealth shall appoint some suitable and competent person to inspect all boilers used for generating steam in and about the coal mines or collieries situate in the counties of Schuylkill, Northumberland and Columbia, with the provisions of the thirteenth section of an act, entitled "An Act providing for the health and safety of persons employed in coal mines," approved the third day of March, Anno Domini one thousand eight hundred and seventy; and the person so appointed shall hold such office of inspector for the term of three years from the date of his appointment, and shall receive from the owner or lessee of every such mine or colliery, for his services, two dollars and fifty cents for each and every boiler so inspected by him: *Provided*, That it shall be the duty of every owner or lessee of such boilers to have the same free from water, cool and ready for inspection, on ten days' notice from the inspector so to do, and to pay said fees for inspection at the time the inspection is made; and for neglect or refusal to have such boilers ready for inspection, or to pay the fees for inspecting the same, every such owner or lessee shall forfeit and pay, to the use of the commonwealth, the sum of one hundred dollars, to be recovered at the suit of such inspector, for such use as debts of like amount are now by law recoverable: *Provided*, That the inspector so appointed shall undergo an examination by commissioners appointed by the governor.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 559.

An Act

To authorize the Pittsburg, Virginia and Charleston Railway Company to acquire property for the construction of its railroad and appurtenances.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg, Virginia and Charleston Railway Company be and are hereby authorized, for the purpose of constructing its railroad and sidings and appurtenances, to purchase, take, hold and acquire the real estate and property

reasonably necessary therefor, however the same may be owned, used or occupied: *Provided*, That when said company and the owner or owners cannot agree as to the price to be paid, or damages sustained, then it shall and may be lawful for the jury appointed to assess the same to also assess or value the entire lot of ground, or the tenements of such owner and curtilage or lot appurtenant thereto, over, on or through which said railroad may be located; and if, in the opinion of the board of directors of said company, the whole of such lot of ground or tenement and curtilage, or lot appurtenant, may be reasonably necessary and required for its sidings and other appurtenances, the said company shall have the right, upon the payment of the price or value so assessed, or filing bond with security, approved by the court of common pleas, as provided by law, to enter into and upon and take possession of the whole of such lot or lots of ground, or tenement or tenements, and lot appurtenant, instead of the strip thereof, or right of way through and over the same.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 560.

An Act

To provide for the payment of Benjamin Singerly for the publication of Bates' History.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general be and is hereby authorized and required to settle with Benjamin Singerly for the publication of Bates' Military History, at the rate of four dollars and seventy-five and forty-three fiftieths cents per volume, upon the delivery of the same to the clerk of the house of representatives, and to draw his warrant on the treasury for the amount thereof.

Auditor general
required to settle
for Bates'
History.

Rate per volume.

SECTION 2. It shall be the duty of the auditor general to see that the fifth and last volume is completed in the same manner and style as the first volume, with an index of complete work, before making a final settlement for said volume.

Fifth volume
and index to be
completed before
settlement.

Termination of duties of historian.

SECTION 3. The duties and compensation of state historian shall terminate on the first day of July, Anno Domini one thousand eight hundred and seventy-one; and if the last volume is not then completed, including an index of the entire work, the governor and public printer are hereby authorized to appoint some one else to complete the same.

Distribution of history.

SECTION 4. The distribution of said histories, heretofore made by the clerk of the house of representatives, is hereby legalized, and the said clerk is hereby authorized and required to distribute the remaining copies of the same, including the fifth volume, as provided in a resolution of the house of representatives, passed April sixth, Anno Domini one thousand eight hundred and seventy, with this exception, that the state librarian shall receive fifty-one copies additional, and the clerks of senate and house of representatives for the year one thousand eight hundred and seventy-one shall receive twenty-five copies each for themselves and their assistants.

Librarian, and clerks of senate and house to receive additional copies.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 561.

A Further Supplement

To an act to incorporate the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,*

Councils may construct sewers and pavements.

That the councils shall have power to construct sewers and pavements along any of the streets or alleys of the city of Erie, as now authorized by the charter of said city, and the several supplements thereto, but they shall not allow the work to be commenced under any contract for the same, until the property holders along the line of and abutting on said improvement shall have paid ten per centum of the actual cost of the same into the city treasury; and no contract for the construction of sewers or pavements shall be valid unless approved by two-thirds of both councils, to be evidenced by a vote upon the same by yeas and nays entered upon the minutes of the respective councils.

When work to be commenced.

Contracts to be approved by two-thirds of councils.

Vacancies.

SECTION 2. That if any vacancies shall happen by resignation or otherwise, in the councils of the city of Erie, during

the time for which any councilman shall be elected, the same shall be filled for the unexpired term by the body in which the vacancy occurs; but a majority of the whole number of the remaining members of said body shall be necessary to an election; and in case of the temporary absence or inability of the mayor, the president of the select council shall act as mayor *pro tempore*, until the mayor shall resume the duties of his office.

Majority to elect
Mayor pro tempore.

SECTION 3. Printed books of the ordinances, published or purporting to have been published by order of the city councils, shall be presumptive evidence of such ordinances, and that they have been regularly enacted and published as required by law, prior to the printing of them in book form.

Authorized publications to be presumptive evidence of ordinances.

SECTION 4. It shall be lawful hereafter for the mayor and councils of said city in the levy and assessment of taxes, laid or imposed on any lots or lands in said city, to discriminate between property fronting on or adjacent to any street or streets, which shall have been previously paved, in whole or in part, at the expense of the owner or owners thereof; and said mayor and councils shall have power to wholly or in part exonerate any lot or property so fronting on or adjacent to any street, wholly or in part so paved, from the payment of all or of so much city tax as they may deem proper.

Authorities may discriminate in assessment of taxes.

May exonerate property.

SECTION 5. The city treasurer and controller shall give bonds, in sums to be regulated by the councils, which shall be recorded in the recorder's office of Erie county; both shall be elected in the manner and for the term mentioned in the first section of the act of April eleventh, one thousand eight hundred and sixty-six, entitled "An Act to authorize the election of a controller in the city of Erie."

Treasurer and controller to give bond.

To be elected.

SECTION 6. That the taxes heretofore assessed or hereafter to be assessed by the councils of the city of Erie, for the payment of the cost of constructing sewers and pavements on the streets of said city, against the owners or reputed owners of real estate fronting on the street or part of a street so improved, shall be and remain a lien on the respective pieces of land fronting on the streets so improved, during a period of three years from the date of the assessment of such tax and no longer, unless a specification of such lien has been or shall be filed and recorded in the office of the prothonotary of the county of Erie within said period.

Taxes to be a lien.

Limitation.

SECTION 7. Such specification shall be deemed sufficient if it designate the date and amount of assessment, the land assessed and the name of owner or reputed owner, and shall have the effect of extending such lien to a period of five years from the date of the said assessment, and shall be amendable at or before the trial upon *scire facias* issued upon such claim, in such manner as will meet the facts and merits of the case: *Provided*, That if the amendment is made upon the trial the court may continue the suit as in other cases of amendment or trial: *And provided*, That nothing herein contained shall affect existing legal rights of any *bona fide* purchaser having no notice of such lien, except to the extent of any purchase money unpaid; and the rights of such purchaser,

What specification shall designate.

Effect.

Proviso.

if any, shall remain the same as if this act had not been passed.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 562.

A Supplement

To an act, entitled "An Act to incorporate the Erie and Western Transportation Company," approved June twenty-first, one thousand eight hundred sixty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Erie and Western Transportation Company is hereby invested with the powers, privileges and rights heretofore conferred on the Pennsylvania Company, by the act incorporating it, approved April seventh, one thousand eight hundred and seventy, excepting so far as relates to the location of the principal office, and the publication of the notice of the annual meeting of the directors, in which conformity shall be had to the original charter, as granted to the Erie and Western Transportation Company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 563.

An Act

To incorporate the Inland Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That G. B. M'Culloh, Joseph T. Wilson and J. J. Forsyth, Corporators. their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the Inland Navigation Company, Name. and by that name, style and title, shall have perpetual succession, and be entitled to all the powers and privileges conferred, Powers and privileges. and subject to all the restrictions imposed by an act incorporating the Pennsylvania Company, approved April seventh, one thousand eight hundred and seventy, excepting that the principal office of the said company shall be in the city of Location. Philadelphia, and that the required notice of the time and Notice of election. place of the annual election for directors of said company shall be given by publication in two newspapers published in the city of Philadelphia, instead of in the city of Pittsburg.

SECTION 2. That the corporation hereby created shall have Business. power to purchase, lease, construct, own and otherwise control steam or other vessels, and may maintain and employ the same for the purposes of transportation on lake Erie and other navigable waters, and may from time to time dispose of the same; and such steam or other vessels shall be considered as included in the public or private work and improvements referred to in said act of April seventh, one thousand eight hundred and seventy.

SECTION 3. The company hereby created shall also have May borrow money, mortgage property, franchises, &c. power to borrow money upon such terms, and issue such evidences of indebtedness therefor, as they may from time to time think proper, and may secure the payment of the principal and interest of the same, or any part thereof, by mortgage of their property, income and franchises.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 564.

An Act

To incorporate the Lake Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. D. Hepburn, W. G. M'Dowell and Charles Piers, their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the Lake Navigation Company, and by that name, style and title shall have perpetual succession, and be entitled to all the powers and privileges conferred, and subject to all the restrictions imposed by an act incorporating the Pennsylvania Company, approved April seventh, one thousand eight hundred and seventy, excepting that the principal office of the said company shall be in the city of Philadelphia, and that the required notice of the time and place of the annual election for directors of said company shall be given by publication in two newspapers published in the city of Philadelphia, instead of in the city of Pittsburg.

Corporators.

Name.

Powers and
privileges.

Location.

Notice of elec-
tion.

Business.

SECTION 2. That the corporation hereby created shall have power to purchase, lease, construct, own and otherwise control steam or other vessels, and may maintain and employ the same for the purposes of transportation on lake Erie and other navigable waters, and may from time to time dispose of the same; and such steam or other vessels shall be considered as included in the public or private work and improvements referred to in said act of April seventh, one thousand eight hundred and seventy.

May borrow
money, mort-
gage property,
franchises, &c.

SECTION 3. The company hereby created shall also have power to borrow money upon such terms, and issue such evidences of indebtedness therefor, as they may from time to time think proper, and may secure the payment of the principal and interest of the same, or any part thereof, by mortgage of their property, income and franchises.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 565.

An Act

To authorize the Altoona Gas and Water Company to sell their reservoirs, water pipes and appurtenances, to reduce their capital stock, and to change the name of said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Altoona Gas and Water Company be and they are hereby authorized to grant, bargain, sell and convey to the city of Altoona, and to the Pennsylvania Railroad Company, in such manner and in such portions respectively to each, and upon such terms as the said parties may respectively agree, all and singular, their reservoirs, water pipes and appurtenances connected therewith; and upon such sale being made, the said gas and water company shall have the right to reduce their capital stock and to change their corporate name to the Altoona Gas Company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY,

No. 566.

A Supplement

To an act to incorporate the Black Diamond Coal and Iron Company, approved June fifteenth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Black Diamond Coal and Iron Company is hereby authorized to reduce its capital stock from time to time, in such a manner, and to such an extent, as its stockholders, representing a majority of its stock, may deem proper, at a meeting regularly called for that purpose.

Company may
reduce its
capital stock.

Amount re-
duced may be
refunded to
stockholders
pro rata.

Proviso.

SECTION 2. That upon such reduction a sum equal to the amount by which said stock is reduced may and shall be refunded to and distributed among the stockholders of said company, in proportion to their several and respective shares of its stock; and thereupon the existing certificates be called in and surrendered, and new certificates issued, expressing on their face the amount and par value, and number of the shares of the capital stock thus reduced: *Provided*, That this act shall not be construed to have the effect to relieve the stockholders in said corporation from the payment of any tax or other moneys which, by existing laws, now or may be payable to the commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 567.

An Act

To incorporate the Mahanoy Valley Gas and Water Company.

Corporators.

Name.

Perpetual
charter.

Powers and
privileges.

Seal.
May purchase
real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That F. B. Wingate, H. A. Moodie, A. Bancroft, Martin Monaghan, William H. Bright, J. Irvin Steel, A. C. Mullin, John P. Colihan and Wm. A. Marr, their successors, associates and assigns, be and are hereby made and created a body politic and corporate, by the name and style of the Mahanoy Valley Gas and Water Company, and by the said name shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatsoever, and also of contracting and being contracted with relative to the business and objects of the said corporation, and they may have a common seal and may change and alter the same at pleasure, and they shall have power to purchase and hold, in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and as the officers may deem advisable, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money of said lands or buildings, and other necessary effects of the said corporation as they may deem expedient.

SECTION 2. That the said company shall have the exclusive Business.
 right to provide, erect and maintain all works and machinery necessary or proper for making and introducing into the borough of Ashland, and into the borough and villages contiguous thereto, a sufficient supply of gas, and raising and introducing a sufficient supply of water, and for that purpose shall have the right to use any springs or streams of water in said county of Schuylkill, or in the township of Conyngnam, Columbia county, or in the township of Mount Carmel, county of Northumberland, or elsewhere, if necessary, and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of gas and water to be introduced, and for this purpose they are authorized and empowered by themselves, their agents, engineers and truckmen, and with their tools, carts, wagons and horses, to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges as may be necessary to occupy or obtain materials for the construction of said works, and to occupy, ditch and lay pipes through the same, and the same to repair from time to time; and if any injury be done to private property, the said company shall make compensation therefor, or give security for such compensation, according to the provisions of the eleventh section of an act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine.

May enter upon lands, enclosures, streets, &c.

SECTION 3. The capital stock of said company shall be one hundred thousand dollars, divided into shares of twenty-five dollars each; and the said company may issue bonds to the amount of one hundred thousand dollars, bearing interest not exceeding eight per centum per annum, and secure the same by mortgage of their real estate, franchises and privileges.

Capital.
 May issue bonds

SECTION 4. The stockholders shall annually, on such days and at such places as the by-laws may designate, elect directors to manage the affairs of the company, who shall serve for one year and until their successors are elected, and the persons above named may be the first board of directors, until an election shall take place in accordance with the by-laws, and they and each succeeding board of directors may elect and appoint such officers and agents as they may deem suitable; and at all elections for directors each share of stock shall be entitled to one vote.

Election of directors.

Directors to appoint and elect officers, &c.
 Votes.

SECTION 5. If any subscriber to the stock of this corporation shall refuse or neglect to pay any instalment called for by the said company, at the time and place appointed, and the same shall remain unpaid for thirty days, he shall, in addition to the instalment called, pay at the rate of five per centum per month for delay; and the company may sue for and recover the said instalment and interest, or forfeit the amount already paid by said subscriber, at such time and in such a manner as the company may deem best.

Penalty for non-payment of stock.

SECTION 6. The said company shall have authority to make and adopt such by-laws, rules and regulations for its government as they may deem proper: *Provided*, That the same do not conflict with the laws of this commonwealth or of the United States.

By-laws.

Penalty for using gas and water when stopped by company.

Or using gas without measure.

Informer a competent witness.

Company may establish rules and fix prices.

Proviso.

Corporations may subscribe for stock.

Capital may be increased.

SECTION 7. That if any person or persons shall open a communication with the gas or water pipes of said company without authority from the proper officer thereof, or shall let on the gas or water after it has been stopped by order of the company or its agent, or use any gas without passing it through the metre put up for the purpose of measuring the same, or shall put up any pipes or burners without having them inspected and approved by the proper officer, appointed by the corporation to inspect at proper times the pipes, metre and burners, et cetera, put up in any building, he, she or they so offending, shall be subject to a penalty of not less than twenty dollars nor more than seventy dollars, to be recovered before any justice of the peace, as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company; that the said company shall have the exclusive right to fix and establish all necessary rules and regulations as to the use of the said gas and water furnished as aforesaid, and to the rates and prices to be paid by the citizens using the same, and to collect the same as debts are now collected by the laws of this commonwealth, and to declare dividends of the net profits of said company at such times as may be prescribed by the by-laws: *Provided*, That such part of said work as may be deemed by said company advisable shall be done from time to time, and the company shall have as full power over the work completed as though they had finished the whole work contemplated in this act; and any act or parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 8. Any corporation, municipal or otherwise, are hereby authorized and permitted to subscribe for and take stock in this company, (subject to the action of the directors of this company) and for that purpose are authorized to raise money by taxation or by the issuing of bonds in the ordinary and usual way.

SECTION 9. That the directors of said company may, at a meeting called for that purpose, increase the capital stock to an amount not exceeding two hundred thousand dollars, whenever in their opinion they may deem it desirable and necessary to enable them to carry out the true intent and meaning of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 568.

An Act

Relating to streets in the several boroughs of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act the court of quarter sessions of Montgomery county, by and with the consent of the town councils, shall have jurisdiction to inquire of, lay out, open, widen, vacate or change any public street, road or alley, within the limits of any incorporated borough in said county, whether said streets and alleys have heretofore been laid out by commissioners appointed by act of the legislature or otherwise, in the same manner as is provided by law for the laying out, opening, widening, vacating or changing of other public roads within said county; and damages to the owners of land injured thereby, shall be assessed as provided under the general road laws of this commonwealth.

Quarter sessions court may lay out, open and vacate streets, &c.

Assessment of damages.

SECTION 2. That the proceedings of the court of quarter sessions of Montgomery county, in the matter of the vacation of portions of Airy, Marshall, Gay, Fairview and Cook streets, in the borough of Norristown, in said county, laid out over the land of Walter H. Cook, are hereby ratified, confirmed and made valid; and that Marshall street, as extended and laid out from Sandy street to borough line, Airy street, as extended and laid out parallel with it from the said borough line to Freemont cemetery, Gay, Fairview and Cook streets respectively, as extended and laid out from the said Sandy street to Egypt street, or Main street, in the lower ward of the said borough, are hereby declared vacated, as in the order and decree of said court it has been adjudged and ordered.

Certain proceedings ratified and confirmed.

Certain streets declared vacated as by order of court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 569.

An Act.

To incorporate the Washington Improvement Company.

Corporators.

Name.

Powers and
privileges.Two-thirds of
stock may
change name
and designate
location.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. D. Barclay, S. S. Moon, J. A. Fowler, or a majority of them, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate, to be known as the Washington Improvement Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Continental Improvement Company by act of the legislature of Pennsylvania, approved the thirteenth day of April, one thousand eight hundred and sixty-eight, and the supplements thereto.

SECTION 2. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president, and attested by the seal of the said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 570.

An Act

To incorporate the Woman's Christian Association of Philadelphia.

WHEREAS, A large number of incorporators under this bill are married women, and the object for which they desire to

be incorporated is not comprehended under the general laws of the commonwealth; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Mrs. J. Spencer Kennard, Mrs. A. F. Lex, Miss Elizabeth N. Brown, Mrs. Charles Scott, Mrs. Sarah E. Beck, Catharine M. Shipley, Mrs. J. C. Hunter, and their associates and successors, be and they are hereby created and constituted a body politic and corporate in law, under the name and title of the Woman's Christian Association of Philadelphia, having for its object the temporal, moral and religious welfare of women, especially young women who are dependent on their own exertions for support.

Corporators.

Name.

Object.

SECTION 2. That said corporation shall have authority to have a common and corporate seal, and by the name, style and title aforesaid, shall be able and capable, in law and equity, to sue and be sued, plead and be impleaded, in any court of this commonwealth, or elsewhere, and have perpetual succession; and the said corporation shall also, by the name, style and title aforesaid, be able and capable, in law or equity, to take and hold, either by purchase, gift, grant, devise, deed, lease or otherwise however, any lands, tenements, hereditaments or real estate, for the use of said association, and to accept and hold any goods, chattels, sum or sums of money, by gift, grant, bargain and sale, will, devise or bequest, from any person or persons, or bodies corporate whomsoever, capable of making the same, and the said property, whether real or personal, at pleasure to lease, grant, bargain or sell and dispose of for the use of the said association: *Provided however,* That the said association shall not at any time hold or absolutely possess property or estate, real, personal or mixed, producing more than the net annual income of twelve thousand dollars.

Powers and privileges.

Perpetual succession.

May hold lands.

May sell and dispose of property.

Proviso.

SECTION 3. That it shall and may be lawful for the said association to ordain and establish, and put in execution, such by-laws, rules and regulations as may be necessary and proper for the government of the said corporation, not being inconsistent with this charter or the constitution and laws of this state, or of the United States, and to elect and choose such officers as may be necessary to manage its affairs.

By-laws.

May elect officers.

SECTION 4. That the duties and rights of, and what shall constitute a membership of said corporation; the powers, duties, number and functions of the officers thereof; the mode of supplying vacancies in officers; the times of meeting of said corporation, whether annual or special, and of its officers, and for the election of officers; the number that shall constitute a quorum thereof respectively at any such meetings; the qualification of members, and the causes which shall justify their exclusion, together with the manner of effecting the same, and the mode and manner in which the property of said corporation shall be granted, bargained, mortgaged, aliened and enfeoffed and disposed of, and such other matters and things that may lawfully appertain to the well being and

Membership, officers, vacancies, meetings, &c., to be regulated by by-laws.

management of said corporation, shall be regulated by the by-laws and ordinances of the said corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 571.

An Act

To authorize William Cameron and Simon Cameron to erect a pier in the West Branch of the Susquehanna river, below the town of Milton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Cameron and Simon Cameron are hereby authorized to build a pier in the West Branch of the Susquehanna river, below the town of Milton, opposite the land of said William and Simon Cameron, at a distance from the east shore of said river not exceeding one hundred feet, and shall have authority to connect the said pier with the shore by means of sticks of timber, and shall have power and privilege to keep and maintain the same: *Provided,* That said pier shall not interfere with the navigation of said river.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 572.

An Act

To enable John Hopper, trustee of the Orange Oil Company, to convey certain land in Venango county, free from liability to escheat.

WHEREAS, Philo M. Clark, of Oil City, in the county of Venango, and state of Pennsylvania, has negotiated with the Orange Oil Company, a corporation of the state of New Jersey, for the purchase of a certain tract of land situated in the said county, and held in trust for the said corporation by one John Hopper, and in part consummation of said purchase the said Philo M. Clark has bought a large portion of the stock of said company :

And whereas, The title of said land is held as aforesaid in violation of the laws of this commonwealth, and the said Philo M. Clark as purchaser of the said land will not be protected by the act, approved the ninth day of January, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to enable citizens to hold title which had been held by aliens and corporations," although coming within the spirit of said act ; for remedy whereof,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the said John Hopper, trustee of said Orange Oil Company as aforesaid, to grant and convey the said tract of land to the said Philo M. Clark, in fee simple, for such price or sum as shall or may have been agreed upon by the said Orange Oil Company and said Philo M. Clark ; and the title of, in and to the said tract of land, which shall or may be so conveyed or intended to be conveyed by the said John Hopper to said Philo M. Clark, shall not be held to be invalid or liable to escheat to the commonwealth by reason of its having been held in trust for the said foreign corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 573.

A Further Supplement

To an act incorporating the Bethlehem Iron Company, approved April eighth, one thousand eight hundred and fifty-seven, under the title of the Saucon Iron Company of the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Bethlehem Iron Company is hereby authorized, by a vote of stockholders, to increase the capital stock of said company to a total amount of two million dollars, at such times and by such amounts as may be deemed advisable: *Provided,* That said company shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum of the capital stock hereby authorized, in four equal annual instalments, the first of which shall be paid at the time of the payment of the enrolment tax.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 574.

An Act

To incorporate the Printing Machine Telegraph Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Cunnington, J. Armitage, A. Knight, Charles Gotleib, and their associates and all other persons who may become subscribers to the capital stock of the Printing Machine Telegraph Company, their successors and assigns, be and they are hereby incorporated and constituted a body politic, by the name and style of the Printing Machine Telegraph Company, and by said name shall have perpetual succession, may sue and be sued, plead and be impleaded in any court or courts,

Corporators.

Name.
Perpetual suc-
cession.

whether of law or equity, may receive and make all deeds, transfers, instruments of writing, bargains, covenants, contracts and agreements, purchase, lease, hold, mortgage, encumber and dispose of all property, real, personal and mixed, necessary for conducting the business of said company; may have and use a common seal, and the same alter and renew at pleasure; may pass, revise, alter and annul all such by-laws, rules and regulations as are necessary or convenient for the government of the company, and its agents and officers, and generally may do all acts necessary for the convenient transaction of the business of said company, not being contrary to the constitution or laws of the United States or of this commonwealth, and shall have all the privileges and franchises incident to a corporation, and upon the filing of a certificate in the office of the secretary of the commonwealth, may change the name of said corporation.

Powers and privileges.

May hold and dispose of real and personal property, &c.

Seal.

By-laws.

May change name.

SECTION 2. That the said Printing Machine Telegraph Company shall, on and after the passage of this act, have authority from time to time to erect, lay down, construct, maintain and keep up and operate a line or lines of telegraph wires, conductors and other materials used in telegraphing, within the corporate limits of the city of Philadelphia, either along, over, upon or under any of the public streets, roads or highways, or through, across, at the bottom of, or under any of the waters, navigable or unnavigable, within the corporate limits of said city of Philadelphia, and also along, through, over, across or under any other land within the limits of said city, by the erection of masts, poles, posts and all other necessary and usual fixtures and materials for sustaining wires, conductors and other materials thereon and therefrom, or by constructing, establishing and maintaining a line or lines of wire or other materials used in telegraphing upon or under said lands, or under water, with or without tubes or covering, or by any other means or instruments which shall be from time to time deemed most suitable by such company; and said company shall be authorized to select and adopt, from time to time, in lieu of the route or routes selected by it, another route or routes for said line or lines within the limits aforesaid; said line or lines to be used, occupied and maintained by said Printing Machine Telegraph Company, for the purpose of transmitting and delivering messages to and from any and all parts of the said city, and to facilitate the business and other interests of the citizens or residents thereof, and to generally exercise all the powers, rights, privileges and franchises of telegraph companies in said city: *Provided*, That such line or lines, or improvements thereon, shall in no case be constructed in such manner as to incommode the public use of said streets, roads or highways, or injuriously interrupt the navigation of said waters: *Provided further*, That where said company shall pass through private property, and cannot agree with the owner thereof, they shall be required to make compensation therefor, the damages to be assessed in the manner provided in the act incorporating the Pennsylvania Railroad Company, and the several supplements thereto.

May erect and operate telegraph lines in Philadelphia.

Additional privileges.

Proviso.

Assessment of damages.

May connect with and purchase other telegraph lines.

May extend their lines.

Capital stock.

Certificates.

Organization.

President.

Votes.

When directors shall be chosen.

Term.

President and directors to elect officers, fix salaries, &c.

Removals.

Dividends.

Penalty for injuring or destroying lines.

SECTION 3. That the said Printing Machine Telegraph Company shall have power to make connections with and purchase other telegraphic lines and the stock and property of companies incorporated within or without this commonwealth; and that they shall also have full power and authority to extend, construct and maintain their lines through and in all towns, boroughs, cities and counties within this commonwealth, with same privileges and authority as specified in the second section of this act.

SECTION 4. That the capital stock of said company shall be the sum of twenty-five thousand dollars, to be divided into shares of twenty-five dollars each, with the privilege of increasing the same, from time to time, to any amount deemed necessary to complete the lines of the company; and said shares shall be represented by certificates, sealed with a common seal and signed by the president and countersigned by the treasurer of said company.

SECTION 5. That within the period of three months after the passage of this act a majority of the persons named in the first section of this act shall elect not less than five directors, who shall fix a time and place for the opening of stock books and a meeting of subscribers; and at such meeting the persons who become subscribers to the stock shall elect, by ballot, not less than five directors to manage the affairs of the company until the next general election of directors; and said directors, or a majority of them, shall elect from their own number, or from other subscribers, a president; and at this and all other elections, each subscriber shall be entitled to one vote for every share held by him, her or it; and any person who may hold the written proxy of any stockholder and may comply with laws, by-laws and regulations, may cast the vote of such stockholder.

SECTION 6. That five directors shall be chosen annually from the stockholders, on the third Monday of May in each year, and such directors, or a majority of them, shall elect a president in the manner indicated in the preceding sections, and such president and directors shall hold their offices until the election of their successors; that in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected.

SECTION 7. That the president and directors, or a majority of them, shall have power to appoint all judges of election, to fix the salary of the president, to elect a secretary, treasurer and all other employees and agents of the company, and fix their salaries; to remove such secretary, treasurer and other employees and agents, other than president, at pleasure; to declare dividends of the profits; to prescribe the mode of transfer of stock, in case the same is not provided for by law, and generally may do all things necessary to carry out the purposes of this act, according to the true intent and meaning thereof.

SECTION 8. That if any person or persons shall wilfully destroy, injure or obstruct the said line or lines, or any part thereof, or any works or fixtures connected therewith, such person or persons shall, on conviction for such offence in any

court of quarter sessions of this commonwealth, be sentenced to imprisonment not to exceed two years, at the discretion of the court, in the jail of the proper county, and shall be liable to pay all damages; and such conviction shall be conclusive of such destruction, injury or obstruction by such person or persons, in any suit instituted against them by said company.

SECTION 9. That all despatches of the government of the United States and this commonwealth shall have precedence of all others; and no greater sum shall be charged for them than for private despatches of the same number of words, figures or characters.

Government
business to have
preference.

SECTION 10. That this act shall take effect immediately on and after its passage: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

When to take
effect.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 575.

An Act

Authorizing the governor to appoint one additional notary public in and for the city of Altoona.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to those now authorized by law, the governor is hereby authorized to appoint a notary public for the city of Altoona, and have his office in said city.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 576.

A Supplement

To an act to incorporate the Plymouth Savings Bank, approved March twentieth, eighteen hundred and seventy-one, (1871.)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifteenth section of an act to incorporate the Plymouth Savings Bank, approved the twentieth of March, eighteen hundred and seventy-one, be construed and taken to mean that the stockholders shall be held individually responsible, equally and ratably, and not one for another, to the depositors with such association, to the extent of the amount of their paid up stock therein, at the par value thereof, in addition to the amount invested in such shares, after the remedies against said corporation shall have been exhausted; and the stockholders shall accordingly be so held, as herein provided; and W. W. Deterich, John Peters, Peter Pursel and James Turner are added to the corporators named in said act: *Provided,* No enrolment shall be charged on the supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 577.

An Act

Extending an act regulating auctions in the city of Lancaster, and other towns in this commonwealth, and the supplements thereto, to the borough of Coatesville, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act regulating auctions in the city of Lancaster, and other towns in this commonwealth," approved the seventh day of April, Anno Domini one thousand

eight hundred and thirty-two, and supplement to the same act, approved the sixth day of April, Anno Domini one thousand eight hundred and thirty-three, be and are hereby extended to the borough of Coatesville, in the county of Chester.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 578.

A Further Supplement

To the act, entitled "An Act to incorporate the American Baptist Publication Society," approved March twentieth, one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the name, style and title of the American Baptist Publication Society shall be and the same is hereby changed and altered to the Bible and Publication Society.

Name changed.

SECTION 2. The object of this corporation shall be to promote evangelical religion by means of the Bible, printing press, colportage, Sunday schools and other appropriate ways.

Object.

SECTION 3. That all the privileges, franchises, rights, estates and powers granted by the said act to which this is a supplement, shall enure to and be enjoyed by the said corporation under its name of the Bible and Publication Society.

Privileges and franchises of former act to remain.

SECTION 4. That all legacies or devices heretofore made, or that may hereafter be made to the American Baptist Publication Society, shall enure to and be enjoyed by the said the Bible and Publication Society, their successors or assigns.

Legacies and bequests.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 579.

An Act

To incorporate the Northern Liberty Mutual Loan and Life Insurance Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That James Brady, John F. Ballier, Lewis Ladner, Edward Mathews, James Nicols, James Logan, Mahlon H. Dickinson, Alfred E. Zien, Lewis Sheitz, Herman Hippe, Isaac Miench, Charles Theis and Robert Ray, and all other persons who shall hereafter become stockholders in the association incorporated, are hereby created a body politic and corporate, by the name and style of the Northern Liberty Mutual Loan and Life Insurance Association of the city of Philadelphia.

Name.

Object.

SECTION 2. The object of which shall be the accumulation of a fund from monthly contributions, fines, premiums and loans, and interest on investments for the benefit of the members thereof, sufficient to enable the stockholders to build or purchase for themselves dwelling houses or other real estate, and mutually insure to each member a life interest in each share of stock held by him; and shall be capable in law of contracting and being contracted with, and of suing and being sued, pleading and being impleaded in any court whatever, either in law or equity, in this state or elsewhere; and they and their successors shall and may have a common seal and may change the same at their will and pleasure, and may also from time to time, at any meeting of their association, by a majority of votes, ordain and establish and put in execution such by-laws, ordinances, rules and regulations, the same not being contrary to this act or the laws of this commonwealth, as may appear to them necessary or expedient for the management of said corporation, its business, fines, premiums and other affairs, and may from time to time alter or repeal the same or any of them.

Powers and privileges.

By-laws.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

- APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 580.

An Act

To apply the fund raised from the dog tax in Potter county to the support of common schools.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the money hereafter collected from the tax on dogs in the county of Potter shall be applied to the support of the common schools in said county, and no order shall be drawn by the commissioner of said county after the passage of this act to pay for sheep alleged to have been killed by dogs.

Tax on dogs to be applied to support of schools.

SECTION 2. On the first day of June of each year the county commissioners of the county of Potter shall ascertain the amount of money collected from the dog tax in each township and borough in said county for the previous year, and shall draw an order in favor of each township school treasurer for the amount so collected in his district: *Provided*, That the amount already overdrawn to pay for damages done to sheep shall first be deducted from the dog fund.

Amount of tax to be ascertained yearly.

And paid to township treasurer.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 581.

An Act

Authorizing the rector, church wardens and vestrymen of Saint Luke's church, Scranton, to borrow money and issue bonds, and execute a mortgage as security therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rector, church wardens and vestrymen of Saint Luke's church, Scranton, be and they are hereby authorized to borrow any amount of money, not exceeding the sum of twenty thousand dollars, at a rate of interest not exceeding seven per centum per annum, and to issue bonds for the

Church authorities may borrow money.

Rate.

amount, and secure the payment of the same by a mortgage on their real estate: *Provided*, That no bond issued under the provisions of this act shall be for a sum less than one hundred dollars.

SECTION 2. That the said bonds shall not be subject to taxation by any of the laws of the commonwealth of Pennsylvania, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 582.

An Act

To enable the First Methodist Episcopal Church of Hyde Park to borrow money, and secure the payment of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the First Methodist Episcopal Church of Hyde Park be and is hereby enabled and empowered to borrow money from various persons, in the aggregate not to exceed ten thousand dollars, for the purpose of building and making improvements on the real estate of the said church, situate in the Fourth ward of the city of Scranton, and to pay the indebtedness of the said church.

SECTION 2. That to secure the payment of the money that may be borrowed in pursuance of this act, the said church may make, execute and issue bonds and mortgages on any and all of the real estate that said church may have and hold, or that may be had and held by trustees for the use and benefit of said church; said bonds and mortgage shall be signed by the president of the board of trustees of said church, and the corporate seal of the said church shall be affixed to each by him, and they shall all be attested by secretary of the board of trustees of said church; said mortgage shall be duly acknowledged by the said president of the said board of trustees, before the recorder of the mayor's court for the city of Scranton.

SECTION 3. Such bonds and mortgages shall bear interest at such rate as the said trustees or a majority of them shall fix, not exceeding eight per centum per annum on the dollar; and said bonds may be of various denominations, of not less

Proviso.

Exempt from taxation.

May borrow money.

Object.

May mortgage property.

How bonds and mortgage shall be executed.

Rate of interest.

Denomination.

than fifty nor more than five hundred dollars, the principal of which shall be made payable at various times, none of them for a less period than one year, nor more than ten years from the first day of April, in the year of our Lord one thousand eight hundred and seventy-one; coupons for the interest shall be attached to the bonds, which interest shall be payable semi-annually from that date.

Time.

SECTION 4. Such bonds and mortgage and coupons shall be made payable at such place as the trustees of said church or a majority of them may determine, and shall be made payable to George Coray, of the county of Luzerne, and Payne Pettibone, of said county, who are hereby made trustees to hold such bonds and mortgage in trust for the use and benefit of such persons who shall lend money to said church, and receive such bonds therefor as evidence of the indebtedness of said church to them; such bonds shall be numbered, beginning at number one and continuing in regular numerical order; the respective number of said bonds with their times of payment and denominations shall be briefly recited and stated in said mortgage.

Where payable, and to whom.

Bonds to be numbered.

SECTION 5. Such bonds and mortgage shall be all signed, sealed, affixed, attested and bear date at one time; and before any of the bonds shall be disposed of in any way, the said mortgage shall be duly recorded in the office for recording of deeds in Luzerne county.

Mortgage to be recorded.

SECTION 6. Before any of the bonds and mortgages shall be made, the trustees of said church, or a majority of them, shall, by resolution entered on the books or records of the board of trustees, fix the amount of money to be borrowed by said church, the rate of interest therefor, not exceeding nine per cent., the denominations of the bonds to be made and issued, the place and times of their payment.

Trustees to fix amount to be borrowed and rate of interest.

SECTION 7. The trustees, or any of them, or any person by them authorized, may dispose of said bonds by borrowing money for said church and delivering such bonds to such persons to secure the payment of such loans.

Trustees may pledge bonds.

SECTION 8: Whenever any of said bonds are disposed of as aforesaid, the said church shall cause a record to be made of the same, containing the numbers of the bonds, their denomination and the name and residence of the person to whom the same is delivered, which record shall be open to all persons interested therein.

Record.

SECTION 9. The trustees of said church, or a majority of them, may assign any or all policies of assurance they have, or may have, on any of buildings of the said church, to the said George Coray and Payne Pettibone, as collateral security for payment of said bond or mortgage.

May assign insurance policies

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 583.

An Act

Relative to licenses on vehicles in the borough of Allentown, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the powers, authorities and provisions of the act of assembly, entitled "An Act relative to licenses on vehicles in the cities of Pittsburg and Allegheny, in the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester, and dramatic licenses in the city of Pittsburg," approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the borough of Allentown, in the county of Allegheny, so far as relates to the licensing of vehicles.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 584.

A Supplement

To an act, entitled "An Act to incorporate the Bald Eagle Boom Company, in Clinton county," approved on the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, authorizing an increase of boomage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Company may charge and collect toll on lumber boomed.

Rate.

Increase.

That the said boom company shall hereafter be entitled to charge and collect toll as boomage upon all lumber boomed, rafted and secured by said company, sixty-five cents per thousand feet, board measure, for board logs and all square timber, spars, clap boards, bolts and other lumber, in proportion to board logs, instead and place of thirty-seven and one-half

cents per thousand feet, board measure, heretofore allowed by law.

SECTION 2. The said Bald Eagle Boom Company are hereby required to furnish all necessary ropes and wedges to raft all the logs out of said boom, and also shall keep the boom in good order for the safe holding of logs.

Required to furnish ropes and wedges.
To keep boom in good order.

SECTION 3. This act shall remain in force for the term of twenty years; the conditions of this supplement are such that the said Bald Eagle Boom Company shall not, during the continuance of this act, apply to the legislature for any further advance on the rates of lumber boomed, rafted and secured by the said Bald Eagle Boom Company, further than provided in section one of this act, fixing the rate at sixty-five cents.

Limitation.
Restriction of increase of rates by legislation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 585.

An Act

Relative to grading, paving, curbing and otherwise improving Troy Hill road, in the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of the city of Allegheny may grade, pave and set with curb stone Troy Hill road, from Vinal street to Garden street, upon such grade as is now or may be hereafter established by said councils therefor; and said councils may, in order to procure a better grade, cause said Troy Hill road to diverge from its present location, beginning on said road at a point about two hundred feet below the point at which the water main crosses said road; thence to the south of the present location, in a curved line, returning to the present location, at a point two hundred feet above said water main.

Councils may pave and curb Troy Hill road.

May cause road to diverge.

SECTION 2. As soon as an estimate of the amount of work required shall have been made, said councils may authorize the committee on streets to advertise for proposals for the grading, paving and setting with curbstone of said road, and also for the erection of any stone walls or other supports to

Advertisements for proposals.

said road that may be deemed necessary; and said committee may let the same in the usual manner.

Councils to
appoint view-
ers.

Duties and
report of view-
ers, &c.

SECTION 3. That as soon as the cost and expense of said improvements shall have been ascertained, the said councils may appoint three disinterested freeholders of said city as viewers, whose duty it shall be to assess and apportion the said cost and expense upon all property in said city and Reserve township which they shall deem benefited thereby; the appointment of said viewers, their action in the performance of their duties, the action to be had in relation to their report, and the lien and collection of the assessments to be made by them shall be, unless herein otherwise directed, as far as possible, as provided for street openings in said city, by an act, entitled "An Act relative to streets in the city of Allegheny," approved the first day of April, one thousand eight hundred and seventy.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 586.

An Act

In relation to school tax in South-West township, Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of South-West township, Warren county, in addition to the tax now authorized by law, shall have power to levy and collect an extra tax for school purposes, when necessary, not exceeding in any year twelve mills on the dollar of the assessed valuation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 587.

An Act

Authorizing the burgess and town council of the borough of Stroudsburg to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Stroudsburg be and they are hereby authorized and empowered to borrow, on the credit of said borough, for the purpose of purchasing a steam fire engine and necessary apparatus for the use of said borough, any sum or sums of money as they may deem advisable, not exceeding in all the sum of five thousand dollars, and at any rate of interest not exceeding seven per centum per annum, and to issue bonds for securing the payment of the same; and said bonds shall be exempt from all taxation, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 588.

An Act

Substituting the name of Thomas J. Bell, Esq., of the township of East Finley, in the county of Washington, in the place of that of James M'Neil, as commissioner to carry into effect certain road laws within the said township.

WHEREAS, By the provisions of an act, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and seventy-one, in reference to roads in certain townships in Washington county, James M'Neil was appointed as one of the commissioners to carry into effect the provisions of the said act within the township of East Finley, in the said county of Washington:

And whereas, It appears there is no such person as James

M'Neil residing within the limits of said township of East Finley; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Thomas J. Bell, Esq., of the said township of East Finley, be and is hereby substituted in the said act for and instead of that of James M'Neil, hereby granting and fixing upon the said Thomas J. Bell, Esq., all the rights, powers and privileges and responsibilities which by the said act would in any case have attached to the said James M'Neil, had he now been a resident of the said township of East Finley, in the county of Washington aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 589.

An Act

Relating to fox squirrels, grey squirrels and rabbits in Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section three as relates to fox squirrels, grey squirrels and rabbits, of an act, entitled "An Act providing for the taking of game," approved the twenty-first day April, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed, so far as the same relates to Westmoreland county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 590.

An Act

To repeal the sixth section of an act, entitled "An Act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon," approved the eighth day of April, one thousand eight hundred and sixty-seven, so far as the same relates to the county of Fulton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sixth section of an act, entitled "An Act for the protection of wild turkeys and squirrels, and for other purposes, in the county of Huntingdon," approved the eighth day of April, one thousand eight hundred and sixty-seven, and which was extended to Fulton and Bedford counties, by act approved the eighth day of April, one thousand eight hundred and sixty-eight, be and the same is hereby repealed, so far as the same relates to the county of Fulton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 591.

A Supplement

To the act, entitled "An Act relating to the collection of state and county taxes in the county of Montgomery," approved the seventeenth day of March, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the duty of the county treasurer of Montgomery county to attend in certain election districts of said county for the purpose of receiving the state, county and militia taxes, as prescribed by the act to which this is a supplement, shall be performed by him on or before the fifteenth day of September

When treasurer to attend for receiving taxes.

Not to receive taxes after September 15th.

Exception. in each and every year, after which time it shall not be lawful for the said treasurer to receive or receipt for any of said taxes, except from or to the collectors thereof, duly authorized, as provided by said act, except taxes upon a schedule which shall, for any reason, remain in the hands of said treasurer on or after the Monday next before the general election.

Bridgeport borough. SECTION 2. The borough of Bridgeport is hereby included in the districts which the said treasurer is required to attend by said act, at his office, in the borough of Norristown.

Conshohocken borough. SECTION 3. That it shall be the duty of the said treasurer, when attending for the purpose of receiving the taxes aforesaid, in the borough of Conshohocken, to attend and receive the same at some hotel or public house in the said borough, to be designated by him, and due public notice thereof to be given in the mode prescribed by said act; and it shall be the further duty of said treasurer, after like public notice, to attend at the King of Prussia hotel, in the township of Upper Merion, for the purpose of receiving the taxes aforesaid from both the election districts of said township.

Upper Merion township. SECTION 4. That it shall be the duty of the said treasurer to issue the warrant and schedule provided for by the third section of the act to which this is a supplement, in case any state, county or militia taxes shall remain unpaid after the fifteenth day of September in any year; and in the said warrant he shall authorize and require the constable or collector to whom it is delivered to demand and receive, from the persons named in the schedule annexed thereto, the sums with which they are charged therein, together with five per centum added thereto for the compensation of said constable or collector; and the said warrant shall further authorize and require said constable or collector, in case any person named in the schedule thereto annexed shall fail to pay the amount with which such person is therein charged, with five per centum added, and goods and chattels of such delinquent sufficient to satisfy the same, with the costs, cannot be found, to proceed as directed by the fifteenth section of the act approved April fifteenth, one thousand eight hundred and thirty-four.

Treasurer to issue warrant for taxes unpaid after September 15th. Compensation of constable or collector. SECTION 5. The treasurer of said county is hereby authorized to make the appointment prescribed by the eighth section of the act to which this is a supplement, in all cases where the constable of the proper district shall fail to give security, as provided by said act, on or before the first day of October in each and every year.

Appointment on failure of constable to give security. JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 592.

A Supplement

To an act incorporating the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the official acts of the aldermen in and for the city, that have heretofore exercised in the adjoining ward of said city to the one for which said aldermen were elected, be made valid and legal and of the same force and effect as if they had been done within the ward for which said aldermen were elected.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 593.

A Supplement

To an act relating to livery stable keepers in Allegheny, Berks and Westmoreland counties, approved August twenty-third, Anno Domini one thousand eight hundred and sixty-five, extending the same to Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to livery stable keepers in Allegheny, Berks and Westmoreland counties," approved August twenty-third, Anno Domini one thousand eight hundred and sixty-five, be and the same are hereby extended to Jefferson county.

JAMES H. WEBB.

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 594.

An Act

Repealing the second section authorizing the burgess and town council of the borough of Lebanon to borrow money, for the purpose of paying off the present indebtedness of said borough as consolidated, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section second of an act authorizing the burgess and town council of the borough of Lebanon to borrow money, et cetera, approved the twentieth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 595.

An Act

Authorizing the Harrisburg Gas Company to increase its capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in order to enable the Harrisburg Gas Company to complete their already commenced improvements they be authorized to issue additional stock, to an amount not exceeding one hundred thousand dollars, to be sold in such quantities as the directors may determine from time to time.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 596.

An Act

To repeal so much of the seventh section of an act, approved April sixth, one thousand eight hundred and sixty-nine, entitled "An Act authorizing the reference of civil actions in the county of Bradford," as requires the county to pay the referee.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the seventh section of an act, entitled "An Act authorizing the reference of civil actions in the county of Bradford," approved April sixth, one thousand eight hundred and sixty-nine, as requires the referee to be paid by the county of Bradford, be and the same is hereby repealed: *Provided,* That this act shall not apply to such cases as have already been referred under the provisions of the said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 597.

An Act

Authorizing the burgess and town council of the borough of St. Clair, in the county of Allegheny, to increase their borough tax for borough purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of St. Clair, in the county of Allegheny, be and the same are hereby authorized to levy, collect and expend annually for borough purposes, a tax not exceeding fifteen mills on the dollar on the valuation assessed for county purposes, in lieu of the five mills authorized by the general borough law, approved the third day of April, Anno Domini one thousand eight hundred

and fifty-one: *Provided*, That the authority herein granted shall not extend over a period of five years from and after the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 598.

An Act

Relating to the building of sewers in the borough of Birmingham, county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fourth section, and so much other of the act approved the first day of May, one thousand eight hundred and sixty-one, entitled "An Act relative to the city of Allegheny," as relates to the building and constructing of sewers, and the several supplements thereto, be and the same are hereby extended to the borough of Birmingham; and that the powers and authorities by the said act and its several supplements vested in the mayor, aldermen and citizens of Allegheny, in relation to the building and construction of sewers, the making assessments upon all property in said city for the payment of the same, and the collection thereof, be and the same are hereby extended to the burgess and council of the said borough of Birmingham: *Provided*, That in the assessment of the costs attending the construction and building of sewers, on lots or pieces of ground abutting on said sewers, be in proportion to the benefit accruing to said lots or pieces of ground.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 599.

An Act

Extending the provisions of an act relating to mutilating show bills in Philadelphia and Centre counties, approved April second, one thousand eight hundred and sixty-nine, to the counties of Berks and Montour, Schuylkill, Carbon, Mercer and Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, approved the second day of April, one thousand eight hundred and sixty-nine, relating to mutilating, destroying, tearing down or removing any show bill, placard or programme, poster or other advertisement in the counties of Philadelphia and Centre, be extended to the county of Berks, Montour, Schuylkill, Carbon, Mercer and Huntingdon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 600.

An Act

Relating to the assessment of taxes in the counties of Schuylkill, Dauphin, Somerset, Indiana and Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any freeholder of the counties of Schuylkill, Dauphin, Somerset, Indiana and Cambria, or owner of property in said counties, who may feel aggrieved by any assessment of the property of such freeholder or owner, and be dissatisfied with the decision of the commissioners of the county upon an appeal made to them from the said assessment, may appeal from the decision of said commissioners to the court of common pleas of said county, and for that purpose may present to the said court at the next term thereof, after the said commissioners shall have informed such freeholder or owner of

their decision, a petition, setting forth the facts of the case, of which ten days' notice shall be given the commissioners by the party appealing, and the said court shall proceed at the said term to hear the said appeal and the proof in the case, and due consideration being had of the average assessments in the county, shall make such decree, affirming or reducing the assessment complained of, as to them shall seem just and right; and the prothonotary of the court shall issue subpœnas for witnesses in behalf of either the party appealing or the commissioners to appear before the court, and the said court shall have power to make such order as to costs as to them shall seem just and right.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 601.

An Act

Providing for the removal of the dead interred in the Saint Martin's German Evangelical Lutheran burial ground, in the borough of Sharpsburg, and authorizing the board of trustees to sell the real estate used for such purposes after said removal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the Saint Martin's Evangelical Lutheran church of the borough of Sharpsburg, in the county of Allegheny, be and a majority of them are hereby empowered to remove the dead from the burial grounds of said corporation, and to sell the grounds or real estate after said removal to a burial ground or cemetery within a convenient distance: *Provided,* That the expense of such removal shall be defrayed by congregation: *And provided further,* That before such removal, said trustees shall give thirty days' notice to the surviving relatives, residing in the county of Allegheny, that they may, if they desire, superintend their removal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 602.

An Act

To empower the school directors of Tuscarora and Spruce Hill townships, in the county of Juniata, to annex certain lands in Spruce Hill township and Tuscarora township, in the county of Juniata, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be the duty of the school directors of Tuscarora township, and the school directors of Spruce Hill township, in the county of Juniata, to attach the lands of John Barnard, James Beale, Elder R. Gilliford and Nicholas Sheriff, in Spruce Hill township, to Reed's school house district, in Tuscarora township, of Juniata county, for school purposes.

Lands of certain persons attached to Reed's school house district.

SECTION 2. It shall be the duty of the directors of Spruce Hill township, of the county of Juniata, to levy and collect the school tax on the aforesaid lands, and pay the same to the school directors of Tuscarora township, in said county: *Provided,* That the school tax levied for school purposes in the year eighteen hundred and seventy, on said lands, be paid to the school directors of Tuscarora township, in said county: *Provided,* That the school tax levied for school purposes in the year eighteen hundred and seventy, on said lands, be paid to the school directors of Tuscarora township, in said county.

Duty of directors.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 603.

An Act

Defining the line of Spruce street, between Eighth and Ninth streets, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the south line of Spruce street, between Eighth and Ninth streets, shall be at the distance of four hundred and sixty feet three inches (460 ft. 3 in.) southward from the south side of Locust street.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 604.

An Act

To extend the provisions of an act relative to mechanics' liens in the counties of Luzerne and Schuylkill, approved seventeenth of February, one thousand eight hundred and fifty-eight, to the counties of Bradford and Sullivan.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several provisions of an act, entitled "An Act relative to mechanics' liens in the counties of Luzerne and Schuylkill," approved the seventeenth day of February, one thousand eight hundred and fifty-eight, be and the same are hereby extended to the counties of Bradford and Sullivan.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 605.

An Act

To change the provisions of the thirtieth section of an act regulating boroughs, approved the third of April, one thousand eight hundred and fifty-one, so far as the same relates to the borough of Donegal, Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Donegal, Westmoreland county, shall have authority, upon the petition of any number not less than three of the freehold owners of lots or out-lots or other tracts of land in any section lying adjacent to the said borough, to declare, by ordinance, the admission of the section owned by such petitioners; and the said section shall forever thereafter be deemed and taken, and allowed to be, a part of said borough, and subject to the jurisdiction and government of the municipal authorities of said borough as fully as if the same had been originally a part of the said borough; and any provision contained in the thirtieth section of an act regulating boroughs, approved the third of April, one thousand eight hundred and fifty-one, as conflicts with this act, is hereby repealed, as far as the same relates to the borough of Donegal, in the county of Westmoreland.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 606.

A Supplement

To an act, entitled "An Act to incorporate the Pittsburg Coal and Mining Company," approved the fifth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of said act relating to payment of bonus on capital stock for the use of the commonwealth, as is inconsistent with the terms of an act, entitled "An Act to revise, amend and consolidate the several laws of this commonwealth taxing corporations, brokers and bankers," approved the first day of May, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one

JNO. W. GEARY.

No. 607.

An Act

To extend to the Pennsylvania Cattle Insurance Company of Schuylkill county the provisions of an act, approved the fifth day of May, one thousand eight hundred and fifty-four, and the supplement thereto, approved the twenty-seventh day of March, one thousand eight hundred and sixty-nine, incorporating the Lykens Valley Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania Cattle Insurance Company, incorporated by the court of common pleas of Schuylkill county, and located at Pottsville, Pennsylvania, shall have all the rights, powers, privileges, and be subject to the same duties as the Lykens Valley Mutual Fire Insurance Company, which was incorporated by an act, approved the fifth day of May, one thousand eight hundred and fifty-four, and the supplement thereto, approved the twenty-seventh day of March, one thousand eight hundred and sixty-nine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

608.

An Act

Relative to and changing the manner of election of town council in the borough of Allentown, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next election held in the borough of Allentown, in the county of Allegheny, for the election of officers of said borough, there shall be elected six citizens to be the town council of said borough, two of whom shall serve for the term of one year, two of whom shall serve for the term of two years, and two of whom shall serve for the term of three years; those to serve for the respective terms of one year, two years, and three years, to be so elected at said election; and at each annual election thereafter for borough officers two citizens shall be elected, to be of the town council of said borough, to serve for the period of three years; *Provided,* That nothing herein contained shall affect or change the manner of election of any other borough officers.

Election of council of Allentown.

Terms.

Proviso.

SECTION 2. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed, so far as relates to the borough of Allentown, in the county of Allegheny.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 609.

An Act

Authorizing the borough of Coopersdale, in the county of Cambria, to levy an increased tax for borough purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the burgess and town council of the borough

of Coopersdale, in the county of Cambria, shall have power to levy and collect a tax for borough purposes of not more than ten mills on the dollar of the last adjusted valuation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 610.

A Further Supplement

To an act, entitled "An Act to provide for the appointment of a fire marshal for the county of Allegheny," approved the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act the fire marshal of Allegheny county shall have authority to appoint assistant fire marshals, not exceeding thirty in number, who shall have power and authority to perform all the duties required by the third, fourth and fifth sections of the act to which this is a supplement, and shall have and may exercise all the powers and authority vested in the said fire marshal by the third, fourth, fifth and sixth sections of said act: *Provided however,* That all of said assistants, appointed by the said fire marshal as aforesaid, shall make a written report to him on the first Monday of each month, of all their proceedings and investigations, and of all business done by them during the preceding month, and shall then return to him all depositions and examinations of witnesses, taken by them during said preceding month, and shall at all times be subject to his orders, directions and control, and may be discharged by him at any time he may see fit so to do.

SECTION 2. The report of the fire marshal, required by the seventh section of the act to which this act is a supplement, shall be made to the court of common pleas of said county on the fourth Monday of April in each year, for the year ending on the fourth Monday of March preceding such report.

SECTION 3. The act, entitled "A supplement to an act to provide for the appointment of a fire marshal for Allegheny

Fire marshal may appoint assistants.

Duties.

Powers.

Assistants to make monthly report.

May be removed.

Fire marshal's report.

Repeal.

county," approved May third, one thousand eight hundred and sixty-four, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 611.

An Act

To authorize Saint John's English Lutheran church of the city of Allentown to borrow money and secure the same by bond and mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the council of Saint John's English Lutheran church of the city of Allentown be and they are hereby authorized and empowered, upon a vote of a majority of its members first had and obtained, at a meeting of the said council called for the purpose, to borrow any sum of money not exceeding ten thousand dollars, for the use of the said church, and secure the same by bond and mortgage on the church property.

Church council
may borrow
money.

SECTION 2. That all mortgages, bonds or other instruments, given to secure any loan or loans made in pursuance of the provisions of this act, shall be good and valid in law to bind the said corporation and its property if signed by a majority of the members of the said council, or the president and secretary thereof.

Bonds, &c., to
be signed by
officers or ma-
jority of council

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 612.

An Act

Authorizing the governor to commission an auction house in the borough of Sharon, county of Mercer.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Auctioneer to be appointed.

Tax.

Bond.

Approval of bond, &c., to be certified to governor.

Rights of auctioneer.

Proviso.

Auctioneer to report sales semi-annually.

Tax on sales.

That from and after the passage of this act any person who shall have resided in the borough of Sharon, in the county of Mercer, one year, and who shall be a citizen of the United States and of the commonwealth, and shall have paid into the treasury of the county of Mercer, for the use of the commonwealth, the sum of one hundred dollars, and filed in the office of the prothonotary of said county his bond, in the penal sum of five thousand dollars, with two or more sufficient sureties, conditioned for the faithful observance of the provisions of this act, to be approved of by the judges of the court of common pleas of said county of Mercer, or any two of them; which approval, together with the fact that the applicant is a citizen and resident of said borough, in said county, as aforesaid, shall be certified by the said judges to the governor, who shall, therefore, grant to such citizen a commission in legal form, authorizing him to open an auction room, and to make sale by auction of all kinds of goods, wares, merchandise, lands, tenements and all other kinds of property not herein named, at any place within the limits of the said borough of Sharon, in said county, for the term of two years from the date of said commission: *Provided*, No person commissioned as aforesaid, shall have more than one house or store for the purpose of selling goods by auction as aforesaid.

SECTION 2. Each and every person commissioned as aforesaid, shall keep a register of all goods, wares, merchandise and other property sold at auction by him, and shall report to the treasurer of the county semi-annually, verified by oath, the amount of his sales during the preceding six months, and shall pay into the treasury of the commonwealth one per centum upon all sales exceeding in amount the sum of ten thousand dollars per annum.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 613.

An Act

To increase the compensation of jurors serving in the several courts in the county of Lycoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the jurors serving in the several courts in the county of Lycoming shall receive two dollars per day in addition to the usual mileage. Pay of jurors.

SECTION 2. That all acts or parts of acts inconsistent herewith are hereby repealed. Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 614.

A Supplement

To an act, entitled "An Act relative to mechanics' liens in the counties of Westmoreland, Columbia and Elk," extending the provisions of the second section to the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of section second of the act, entitled "An Act relative to mechanics' liens in the counties of Westmoreland, Columbia and Elk," approved the ninth day of April, one thousand eight hundred and forty-nine, be and the same are hereby extended to the county of Bradford.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 615.

An Act

To extend the provisions of an act relating to appeals and transcripts from the judgment of justice of the peace in and for the counties of Centre, Blair, et cetera, to the counties of Chester and Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of act relating to appeals and transcripts from the judgment of justice of the peace in and for the counties of Centre, Blair, Lehigh, Clinton, Schuylkill, Allegheny, Indiana Northampton, Luzerne, Lebanon, Berks, Perry, Mifflin and York, approved the second day of March, Anno Domini one thousand eight hundred and sixty-eight, be and the same are hereby extended to the counties of Chester and Northumberland.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 616.

An Act

To authorize the school directors of the city of Titusville, in the county Crawford, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the money heretofore authorized to be borrowed by the school directors of said city of Titusville, the said school directors be and are hereby authorized to borrow money, not exceeding the sum of fifteen thousand dollars, for the purpose of paying debts and other purposes connected with the common schools in said city, at a rate of interest not exceeding eight per centum; and said school directors shall

have power to issue bonds, either with or without coupons, for the money so borrowed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 617.

An Act

To vacate a portion of Bingham street, in the borough of Birmingham, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Bingham street, in said borough of Birmingham, county of Allegheny, as is laid out and passes through the market house, across and through the Market square, be and the same is hereby annulled and vacated: *Provided,* The councils of said borough assent thereto.

Part of Bingham street vacated.

Proviso.

SECTION 2. That all acts or parts of acts inconsistent with this act be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 618.

An Act

To authorize the return and collection of certain taxes in Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

School taxes in Pike township, how collected.

That the duplicate of school taxes in Pike township, for the year one thousand eight hundred and seventy, returned to the county commissioners February twenty-third, one thousand eight hundred and seventy-one, shall be collected in same manner as if returned previous to January first, one thousand eight hundred and seventy-one.

Time for return of certain road taxes, extended.

SECTION 2. That the state road tax levied by the commissioners of the Germania and Young Womanstown state road for the year one thousand eight hundred and sixty-eight, may be returned at any time within ninety days from the passage of this act, and collected as if returned previous to January first, one thousand eight hundred and sixty-nine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 619.

An Act

To repeal an act, entitled "An Act to prevent hawking and peddling in Crawford and M'Kean counties without a license."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to prevent hawking and peddling in Crawford and M'Kean counties without a license," approved the fourth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as relates to Crawford and M'Kean counties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 620.

An Act

To change the mode of criminal proceedings in certain cases in the borough of Pleasantville, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several justices of the peace in and for the borough of Pleasantville shall have like jurisdiction as provided in an act, entitled "An Act to change the mode of criminal proceedings in Erie and Union counties," approved May first, one thousand eight hundred and sixty-one, and the several supplements thereto, for any violation of any of the laws of the commonwealth of Pennsylvania prohibiting or restricting the sale of or furnishing ardent spirits, malt or brewed liquors, wine or cider, under any of the statute laws of said commonwealth, including any violation aforesaid, done or committed on the first day of the week, commonly called Sunday.

Justices to have jurisdiction in cases of violation of license laws.

SECTION 2. That any person or persons tried under the provisions of the aforesaid act of May first, one thousand eight hundred and sixty-one, or its several supplements, so far as it relates to the borough of Pleasantville, who after having been convicted shall remove the same by *certiorari* or otherwise, to the court of quarter sessions, and who shall be discharged by the said court upon any informality of the record or proceeding, or upon any pretext not involving the merits, shall be liable to be tried for the offence charged; and it shall be the duty of the said court, or any judges thereof, who shall discharge any person or persons who shall have been convicted under the provisions of this act, or the act to which this is a supplement, for any informality in such proceeding, to require said person or persons so discharged to enter good and sufficient bail for his, her or their appearance at the next court of quarter sessions in and for the county of Venango, to answer said charge or complaint, in the same manner as if the defendant or defendants had been required by the justice before whom the proceedings were commenced to have entered into a recognizance for his, her or their appearance to the said term of court; and all costs under any of the said proceedings shall be a part of the legal costs of said suit and abide the event thereof.

Proceedings where courts dismiss cases for informality, &c.

Persons discharged to enter bail for another hearing.

SECTION 3. That the several justices of the peace in and for the borough of Pleasantville, Venango county, in case of the disagreement of the jury, under the provisions of an act, entitled "An Act to change the mode of criminal proceedings in Erie and Union counties," approved May first, one thousand eight hundred and sixty-one, or its several supplements thereto, shall have power and are authorized and empowered, under the same rules and regulations, to proceed to draw another jury,

When juries disagree new juries to be drawn.

Proviso.

and proceed to trial in the same manner: *Provided*, That the said justice may continue the same from time to time as he may deem proper, always requiring the defendant or defendants to enter into recognizance in a sufficient sum for his, her or their appearance at the time specified.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 621.

An Act

Relating to the registry of lots in the borough of Birmingham, county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act providing for the registry of lots in the said city of Allegheny, approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, and of the several supplements thereto, as relates to the registering of lots in said city of Allegheny, be and the same are hereby extended to the borough of Birmingham aforesaid; and that the powers and authorities by said act, and its several supplements, vested in the mayor, aldermen and citizens of Allegheny, in relation to registry of lots, be extended to the burgess and town council of the said borough of Birmingham.

SECTION 2. That all acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, so far as relates to the borough of Birmingham.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

Act relative to registry of lots extended to Birmingham borough.

Burgess and counsell to perform duties.

Repeal.

No. 622.

An Act

To provide for the election of road commissioners in Hickory township, county of Mercer, and for the better regulation of the road law in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall be lawful for the qualified voters of Hickory township, in the county of Mercer, at their next election for supervisors of the public roads and highways in the said township, to elect three suitable persons as commissioners of public roads and highways, one for one year, one for two years and one for three years, and one person annually thereafter, to serve for three years, any two of whom shall constitute a quorum to transact business, one of whom shall be elected by the board to serve as treasurer and collector of road taxes, and shall give security, to be approved by the said commissioners, in at least double the amount of the road tax duplicate to be collected: *Provided*, That the present board of supervisors of public roads of said township shall act as commissioners under this act until the election of the commissioners herein provided for.

SECTION 2. The said commissioners shall, during the month of April, Anno Domini one thousand eight hundred and seventy-one, and each and every year thereafter, levy upon the assessment for that year of all property heretofore taxable for township purposes, and also on the property made taxable for school purposes in said township, by an act of assembly approved the sixth day of April, Anno Domini one thousand eight hundred and seventy, and collect such taxes as may be necessary for the purposes of this act, not exceeding five mills on the dollar; and all male persons over the age of twenty-one years, resident in said township, who shall not be otherwise taxed for the purposes of this act, shall pay a *per capita* tax of one dollar for said purposes; and the process for collecting the taxes levied by virtue of the provisions of this act shall be the same as now provided by law for collecting other township rates.

SECTION 3. The said supervisors, acting commissioners, shall, within thirty days after the passage of this act, and the said commissioners elected as hereinbefore provided shall, within thirty days after said election, lay off and divide the said township into convenient districts; which said districts shall correspond in boundaries with the school districts of said township; and it shall be the duty of said commissioners to provide a road book, in which they shall enter what is necessary to be done in constructing new roads and bridges, and in repairing, maintaining and improving roads and bridges already constructed.

Notice to be given for proposals for making roads, &c.

SECTION 4. When the said commissioners shall have laid off said township into districts as aforesaid, they shall give ten days' notice, by five printed handbills posted in the most conspicuous places in each of said districts, inviting sealed proposals for constructing or repairing and maintaining the roads and bridges in the several districts of said township, and they shall award the contracts therefor by districts, as aforesaid, for the term of one year, to the lowest and best bidder; and the person or persons to whom such contract or contracts shall be awarded shall give security, to be approved by the commissioners, for the faithful performance of his or their contract or contracts: *Provided*, That when any new road shall be ordered to be made in said township, after the contracts shall have been awarded as aforesaid, then the said commissioners shall proceed to award the contract therefor in the manner herein provided: *Provided also*, That no one of said commissioners shall be interested in any contract made under the provisions of this act.

Contracts.

Proviso.

Contracts, how executed.

SECTION 5. The person or persons to whom a contract or contracts shall be awarded as aforesaid, shall write his or their name or names respectively in said road book, opposite the specifications contracted for, also the amount of the contract price; whereupon a duplicate copy of said specifications, duly signed by the said commissioners, shall be furnished said contractor, which shall constitute a binding contract.

What specifications shall require.

SECTION 6. The said specifications shall provide that all roads in the district or districts to be contracted for shall be raised in the middle and slope gradually each way to the sides; and that ditches, drains and bridges sufficient to carry off the water shall be constructed, kept open and maintained, and that all loose stones shall be removed, broken or covered with earth, and that township bridges in said district shall be kept in good and sufficient repair; if any contractor should neglect to fulfill his contract according to the said specifications, upon complaint being made to the said commissioners or either of them, they shall inspect the road or roads, bridge or bridges, so complained of as soon as practicable, and if they deem the complaint well founded, shall give notice to the party or parties having the contract therefor, to put the said road or roads, bridge or bridges in good repair, according to the terms of the contract, within six days thereafter; and if the said contractor or contractors neglect or refuse to comply with said notice, until the expiration of six days thereafter, it shall be the duty of said commissioners to have said road or roads, bridge or bridges improved or repaired, according to the terms of said contract; and the cost thereof shall be recoverable from the said contractor or contractors, or of their sureties, as other debts are now recoverable by law, with costs of suit.

Neglect of contractor.

Duty of commissioners.

Death or removal of contractor.

SECTION 7. When any contractor shall remove from said township, or in the event of his death, before the expiration of his contract, then the said commissioners may proceed to re-let the district so contracted for the term of the unexpired contract; and they shall pay such contractor or his legal representatives such proportion of the contract price as they may deem justly due for work done.

SECTION 8. It shall be the duty of said commissioners to inspect all public roads and township bridges in said township at least once in three months, and if they shall find that any contractor has not complied with the terms of his contract, then they shall notify him and proceed as in section eight.

Inspection of roads and bridges.

SECTION 9. The said commissioners shall have authority to make quarterly pay unto all contractors for work satisfactorily performed, payment to be made by orders in writing on the treasurer, signed by the commissioners or any two of them.

Quarterly payments.

SECTION 10. The said commissioners shall receive as compensation for their services three dollars (\$3) for each and every day in which they may be necessarily employed in the performance of their duties under this act, excepting the treasurer, who shall receive five per centum of the amount of taxes collected by him; and the said commissioners and treasurer shall be liable to the same penalties for neglect of duties or other misconduct in office as provided for similar offences under the laws of this commonwealth.

Compensation of commissioners.

SECTION 11. When any road is or may be laid out on any line or lines dividing any of said districts from other districts in said township, then the said commissioners shall specify in the road book provided for by section five, in what district or districts the said road or roads shall be included; and when any road or roads are or may be laid out on any line or lines dividing said township from any other township or district, then said commissioners may make any agreement that they may deem equitable with the proper officers of said adjoining township or district, for constructing, maintaining or repairing said road or roads.

Roads laid out on township lines.

SECTION 12. If by reason of no proposals being made or any other cause, any district or districts should not be let upon contract under the provisions of this act, or if the said commissioners so elect, then and in such case instead of complying with sections four, five, six, seven, eight, nine and eleven of this act, they may appoint some suitable person to act as path-master, whose duty it shall be to keep the public roads and township bridges in the whole or such portion of said township as may not be contracted for, in good condition and repair, in the manner provided for by section eight; subject, nevertheless, to the control and supervision of the said commissioners, who may at any time remove him for incompetency, neglect of duty or other misconduct; and the said path-master shall receive two dollars for each and every day in which he may be necessarily engaged in the discharge of his duties: *Provided*, That nothing contained in this section shall exempt the said commissioners from the duty of inspecting the public roads and bridges within said township, as provided in section ten.

When no proposals are received commissioners may elect path-master.

Duties and compensation.

Proviso.

SECTION 13. Where the owner or occupier of lands adjoining and abutting upon any public road or highway in said township shall provide and maintain, in good condition on such public road or highways, a suitable watering trough, with an adequate supply of water for the same, to be approved by the said commissioners, and which shall be for the free and

Persons maintaining watering troughs entitled to abatement.

common use of the public, then every such person shall be entitled to an abatement of three dollars annually from the amount of taxes assessed against him under this act.

Repeal.

SECTION 14. So much of the laws of this commonwealth as are inconsistent with the provision of this act, are hereby repealed, so far as relates to said township of Hickory, in Mercer county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 623.

A Supplement

To an act incorporating the city of Lock Haven, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first Monday of June, Anno Domini one thousand eight hundred and seventy-one, the city of Lock Haven shall constitute a single school district in conformity with the provisions of the general school laws of the commonwealth of Pennsylvania.

Lock Haven city to be a single school district.

SECTION 2. That there shall be elected on the last Tuesday of May, Anno Domini one thousand eight hundred and seventy-one, in each ward of said city, one school director to serve for three years, one to serve for two years, and one to serve for one year, and annually, thereafter, one from each ward, to serve for three years, who shall constitute the school board of said city, and whose term of office shall begin on the first Monday of June, as above mentioned, at which time the term of office of the present school directors of Lock Haven borough, Flemington borough and Allison township, county of Clinton, all now embraced within the limits of Lock Haven city, shall terminate.

Election of directors.

Terms.

Flemington borough and Allison township not liable for debts of city.

SECTION 3. That the aforesaid borough of Flemington, and that portion of the township of Allison, which by the aforesaid act of twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy, was incorporated in said city of Lock Haven, shall not be liable or required to pay any

part of any debt or debts heretofore contracted by the borough or city of Lock Haven.

SECTION 4. That all laws or parts of laws, relative to the Repeat. city of Lock Haven, inconsistent herewith, are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 624.

A Supplement

To an act, entitled "An Act to enable the school directors of the Sixth ward, in the city of Allegheny, in the county of Allegheny, to borrow money," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Sixth ward, in the city and county of Allegheny, be and they are hereby empowered to borrow an amount of money, not exceeding twenty thousand dollars, (\$20,000,) in addition to amount now authorized by law, and to provide for the payment of said loan by issuing bonds, bearing the same rate of interest and secured in the same manner as provided in the act to which this is a supplement: *Provided,* That all loans so obtained shall be exclusively applied to the payment of present indebtedness, and the purchase and improvement of real estate designed for the use of the public schools of said ward.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 625.

An Act

For the relief of the Lutheran and Reformed congregations of Hassinger's church, in Franklin township, Snyder county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry M. Rea'rick and William Bowersox, trustees of the Lutheran and Reformed congregations, belonging to the church in the township of Franklin, in the county of Snyder, commonly called Hassinger's church, be and they are hereby authorized and empowered to sell and convey, in fee simple, a certain tract of land, belonging to said congregation, situate in the township and county aforesaid, adjoining lands of Sephares Schoch, Reuben Eisenhower, Aaron Royer, *et al.*, containing fifteen acres and one hundred and thirty-four perches, and to apply the money arising from the sale in building a new church or repairing the old, in such manner as the elders, for the time being, of both the congregations, or a majority of them, may direct.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 626.

An Act

To enable the school directors of the Eighth ward, in the city of Allegheny, in the county of Allegheny, to borrow money and to sell property for school building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Eighth ward of the city of Allegheny, of the county of Allegheny, be and they are hereby authorized and empowered to borrow an amount

of money, not exceeding thirty thousand dollars, for a term of years, not exceeding twenty years, and to issue bonds or certificates of indebtedness for the same, in sums not less than one hundred (\$100) dollars each, bearing interest at a rate not exceeding eight (8) per centum per annum, said bonds or certificates to be executed by the president and countersigned by the secretary of the board; and that the said board of school directors be and they are hereby authorized and empowered to sell the property now occupied by them for school purposes: *Provided*, That all loans so made, and all moneys received by reason of the sale of said property, shall be applied exclusively to the purchase of grounds and the erection of suitable buildings thereon for the use of the public schools of said ward.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 627.

A Supplement

To an act, entitled "An Act to incorporate the White Haven Water Company," approved the twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act each and every owner of a house or houses in the borough of White Haven, located on a street along which water pipes may be laid, and out of which a supply of water can be had by the owners thereof at their pleasure, shall be charged and held liable, and also all parties taking water from the reservoirs of said company shall be so held, whether the water is used by him or them or in their buildings or not, respectively, to the aforesaid water company, for the water rates; and if after a proper demand for the same has been made and not paid, the said company are hereby authorized to file, in the court of common pleas of Luzerne county, a statement of their claim or claims, which shall be a lien against said property, and which shall be subject to all the provisions of the law no enforced relating to mechanics' liens.

Owners of
houses liable for
water rates.

Repeal.

SECTION 2. All acts inconsistent with this act are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 628.

An Act

To confirm the sale of the property of the Short Mountain Coal Company.

WHEREAS, The Short Mountain Coal Company, at its annual meeting of stockholders in January, one thousand eight hundred and seventy, authorized its directors to sell and dispose of the property of the company:

And whereas, In pursuance thereof the property of the said company has been sold and disposed of; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same*, That the sale of the property of the said Short Mountain Coal Company be and the same is hereby ratified and confirmed, and the title thereto fully vested in the purchaser thereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 629.

A Supplement

To an act incorporating the Marietta and Maytown Turnpike Road Company, approved April fifteenth, one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Marietta and Maytown Turnpike Road Company shall have authority to extend their road from Decatur street, along the state road leading from Marietta to Middletown, to a point east of Schock's mill, in the township of East Donegal; and shall also have authority to extend their road from the village of Maytown, its present terminus, to such point on the public road leading from Maytown to Elizabethtown, as the company believe will best subserve the convenience of travel; and that the said company have authority to collect on the said extension of their road, when made and approved, the same rates of toll, in proportion to distance traveled, as the company are by law authorized to charge on their road leading from Marietta to Maytown.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 630.

An Act

To authorize the commissioners of the county of Mercer to pay bounties to certain named persons who were credited to the said county, upon quotas of the calls of February first and March fourteenth, one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the commissioners of the county of Mercer, immediately after the passage of this act, to pay to the following named persons, re-enlisted veterans of the

Commissioners authorized to pay bounties to certain persons.

Seventy-sixth regiment of Pennsylvania volunteers, the same bounty that the commissioners of said county paid to all other persons that were credited to the said county, upon the quotas of the calls of the president of February first and March fourteenth, one thousand eight hundred and sixty-four, with accrued interest, at the rate of six per centum per annum, from the time they were credited to the said county, to wit: Seth Hull, John A. Porter, John L. Reno, John Hawk, William J. Daugherty, Loverin E. Ague, James E. Arner, James Buchanan, Hosea Chase, Robert Hunter, Samuel Mahannah, John Raney, Benjamin Seaburn, Michael Wiseman and Thomas Bridget: *Provided*, That if any of the foregoing persons shall have heretofore received any bounty from the commissioners of said county, under these calls, they shall not be entitled to the benefit of this act: *And provided further*, That the commissioners of said county shall, before the payment of said bounties, require a certified copy of their re-enlistment, together with their credits to the said county, under said calls, from the adjutant general of Pennsylvania.

Proviso.

May levy additional tax.

SECTION 2. In order to carry out the provisions of this act the said commissioners shall be authorized and required to levy and collect an additional tax at the next assessment and collection of taxes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 631.

An Act

Authorizing the borough of Johnstown, Cambria county, to borrow money, to issue bonds therefor, and to levy and collect an additional tax to pay the same.

Preamble.

WHEREAS, The municipal authorities of the borough of Johnstown, Cambria county, are desirous of building a new market house and lock-up house for said borough, and securing ground for the same, of erecting or securing a free bridge or bridges across the Stony creek, within the limits of the said borough, of fencing and improving the public square within the same, and of lighting the principal streets of the borough with gas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purposes above enumerated, or for any one or more of them, the burgess and council of said borough of Johnstown may and they are hereby authorized to borrow any sum of money, not exceeding fifty thousand dollars, and may issue or cause to be issued for the same, the bonds of said borough, in such form as they may see proper, and bearing interest at the rate of six per centum per annum: *Provided,* That such bonds shall not be sold or disposed of at less than their par value, and shall not be issued in less sums than twenty-five dollars.

Borough authorities may borrow money.

Proviso.

SECTION 2. That for the purpose of redeeming the bonds authorized by the first section of this act, the council of said borough may levy an additional tax to that now authorized by law, on all property, offices, persons, corporations and professions now made taxable for borough purposes: *Provided,* That said additional tax shall not exceed in any one year ten mills on the assessed valuation of the borough, and shall be collected as the other taxes of said borough are now collected.

May levy additional tax.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.



No. 632.

An Act

Authorizing Saint John's English Reformed church of the city of Allentown to borrow money, and secure the same by bond and mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the consistory of Saint John's English Reformed church of the city of Allentown be and they are hereby authorized and empowered, upon a vote of a majority of its members first had and obtained, at a meeting of the consistory called for the purpose, to borrow any sum of money, not exceeding the sum of fifteen thousand dollars, for the use of the said church, and secure the same by bond and mortgage on the church property.

Church consistory may borrow money.

Bonds, &c., to be signed by officers or majority of consistory.

SECTION 2. That all mortgage, bonds or other instruments given to secure any loan or loans made in pursuance of the provisions of this act shall be good and valid in law to bind the said corporation and its property, if signed by a majority of the members of the consistory, or the president and secretary thereof.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 633.

An Act

To extend the provisions of an act relating to appeals and transcripts from the judgment of justices of the peace in the county of Juniata, approved April fourth, Anno Domini one thousand eight hundred and seventy, to the county of Monroe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act relating to appeals and transcripts from the judgments of justices of the peace within the county of Juniata, approved the fourth day of April, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the county of Monroe.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 634.

An Act

To enforce the payment of poor taxes on unseated land in Snowshoe, Worth, Taylor and Burnside townships, Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever poor tax, assessed on unseated lands in Snowshoe, Worth, Taylor and Burnside townships, Centre county, shall not be voluntarily paid by the owner or owners thereof, the overseer or overseers of the poor of said townships shall certify the same to the proper county commissioners, who shall enforce the collection thereof, with the taxes assessed on unseated lands for county purposes; and when so collected, it shall be paid to the overseers of the poor of said townships, by orders drawn on the county treasurer.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 635.

An Act

To authorize the school directors of the borough of Bellefonte, in the county of Centre, to borrow money for the purpose of paying previous loans.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Bellefonte, in the county of Centre, be and they are hereby authorized to borrow any amount of money, not exceeding twenty thousand dollars, payable at any time, not exceeding fifteen years, at a rate of interest, not exceeding eight per centum per annum, and to issue bonds therefor, in sums of not less than one hundred dollars each, signed by the president and secretary of

the board, for the purpose of paying previous loans; and such bonds, so issued as aforesaid, shall be exempt from taxation except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 636.

An Act

To extend the provisions of an act relating to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, Washington county, to the township of Morris, in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to roads in Uwchlan township, Chester county, and East Bethlehem and East Pike Run townships, in Washington county," approved the fourteenth day of March, Anno Domini one thousand eight hundred and sixty-four, be and the same are hereby extended to the township of Morris, in the county of Greene.

Act relative to certain roads extended to Morris township.

Commissioners.

SECTION 2. And that Stephen J. Day, Vincent L. Lewis and James Patterson are hereby authorized and appointed, with full powers to carry out the provisions of said act, until after the next election for township officers within the said township.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 637.

An Act

To legalize the official acts of Charles A. Stimmel, a justice of the peace
in and for the county of Butler.

WHEREAS, Charles A. Stimmel, of Jefferson township, in the county of Butler, was duly elected and commissioned a justice of the peace in and for the county aforesaid, for the term of five years, from the fourteenth day of April, one thousand eight hundred and sixty-three, and was duly qualified and served as such justice of the peace for the term aforesaid :

And whereas, It is a matter of doubt whether, at the time of said election, commission, qualification and service as such justice of the peace, the said Charles A. Stimmel was a lawfully naturalized citizen of the United States, he having been born in Germany, and having come into the United States in his minority with his step-father, who became duly naturalized during the minority of the said Charles A. Stimmel :

And whereas, The said Charles A. Stimmel has since been duly naturalized ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the official acts of the said Charles A. Stimmel, done and performed by him during his said term of office, shall have the same force and effect (if otherwise legal) as if the said Charles A. Stimmel, at the time of the said election, commission, qualification and service as such justice of the peace, had been and was a duly naturalized citizen of the United States.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 638.

An Act

Making valid certain ordinances passed by the council of the borough
of Jamestown, in the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That the ordinance passed by the council of the borough of Jamestown, in the county of Mercer, on the twenty-fifth day of June, eighteen hundred and seventy, vacating and closing an alley running east and west, between lots number one hundred and thirty-six and one hundred and thirty-seven, as numbered in the plot of said borough; and also an ordinance passed by the said council, January twenty-third, eighteen hundred and seventy-one, vacating and closing an alley running between Depot street and Main street, and lying between Alyoma street and Summit street, in said borough, is hereby made valid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 639.

An Act

To repeal an act authorizing the levying and collection of tax, not exceeding ten mills on the dollar of valuation for general borough purposes, in the borough of Sharon, Mercer county, approved the ninth day of March, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act authorizing the levying and collection of tax, not exceeding ten mills on the dollar of valuation, for general borough purposes, in the borough of Sharon, Mercer county, approved the ninth day of March, one thousand eight hundred and sixty-seven, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 640.

An Act

To repeal the second section of an act, entitled "An Act relative to the jurisdiction of justices of the peace, mayor and burgesses in Erie county, and relative to appeals therefrom," approved April thirteenth, one thousand eight hundred and sixty-seven, and extended to Venango county by act of twelfth of March, one thousand eight hundred and sixty-nine, as far as relates to the borough of Pleasantville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section second of an act, entitled "An Act relative to the jurisdiction of justices of the peace, mayor and burgesses in Erie county, and relative to appeals therefrom," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, and extended to Venango county by act approved the twelfth day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed, so far as relates to the borough of Pleasantville, Venango county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 641.

An Act

To incorporate the Ancient Order of Hibernians, in the state of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis Reilly, Thomas Glennan and John Daugherty, and their associates and successors, in the state of Pennsylvania, be and they are hereby created a body politic and cor-

porate, in deed and land, by the name, style and title of the Ancient Order of Hibernians of the state of Pennsylvania, and by that name shall have perpetual succession, and be able to contract and be contracted with, sue and be sued, plead and be impleaded, in any court of law or equity or elsewhere, to have, hold or mortgage, and dispose of all manner of property, real or personal, the annual income of which shall not exceed the sum of twenty-five thousand dollars; to have and use a common and corporate seal, and the same to alter or renew at pleasure, to make and enforce all necessary by-laws, rules and regulations for their government, the admission of their associates and the furtherance of the objects of said association, viz: To promote friendship, unity and true christian charity among its members, and generally to do all and singular the matters and things which shall be lawful for the well being and due management of the affairs of said association, and shall have and exercise all the rights, privileges and immunities, necessary for the purposes of the corporation hereby constituted, and not inconsistent with this charter, or the constitution and laws of the United States and of this commonwealth.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 642.

An Act

In relation to the Odd Fellows' Hall Association of the borough of White Haven, in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the hall of the White Haven Lodge of Independent Order of Odd Fellows of the borough of White Haven, in Luzerne county, be and the same is hereby exempt from all taxation, except for state purposes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 643.

An Act

To authorize the school directors of the borough of Pittston to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the school district of the borough of Pittston, in the county of Luzerne, are hereby authorized and empowered to borrow not exceeding five thousand dollars, to pay the indebtedness of the district, at a rate of interest not exceeding eight per centum, and for any length of time not exceeding three years, and to issue evidences of indebtedness, in sums not less than one hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 644.

An Act

To perpetuate the evidence of certain conveyances in the Bush Hill estate, in the city of Philadelphia.

WHEREAS, James and Andrew Hamilton were formerly seized of a large tract of land, called the Bush Hill estate, now in the Fourteenth and Fifteenth wards, in the city of Philadelphia, and they and afterwards the said Andrew Hamilton and the trustees of the said James Hamilton did, between the years one thousand eight hundred and fifteen, and one thousand eight hundred and twenty-three, inclusive, make and execute conveyances of divers lots of ground, portions of the said estate, reserving ground rents and otherwise the deeds for some of which lots of ground were never recorded, and have since been lost: Preamble.

And whereas, The evidence of the existence of the said lost deeds is contained in a certain manuscript book, entitled

descriptions of the lots of ground on the Bush Hill estate, which have been granted on ground rent with the names of the grantees, date of the conveyances and annual rents, as the same are represented and numbered on the accompanying plan, taken from original conveyances, Anno Domini one thousand eight hundred and twenty-four, by Joseph H. Siddall, and continuation, being the descriptions of such lots of ground as have been granted on ground rent, but have reverted to the former proprietors; and also a certain plan of the said Bush Hill estate, accompanying the same, and therein referred to, both of which were made and prepared from the original conveyances then in existence, by the said Joseph H. Siddall, a conveyancer, for the purpose of the partition of the said Bush Hill estate, in the year one thousand eight hundred and twenty-five, in the district court for the city and county of Philadelphia, to December term, one thousand eight hundred and twenty-five, number fifty-four; which said book and plan have been offered and received in evidence in the courts of record in the said city and county of Philadelphia, in divers suits and actions concerning ground rents and lots of ground within the said estate; the same having been first duly proved by the oath of the said Joseph H. Siddall:

And whereas, In case of the death or future incapacity of the said Joseph H. Siddall, his evidence in the premises will be lost, to the prejudice of the owners of the said lots of ground and ground rents; therefore,

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said book and plan having been first authenticated and identified by the affidavit of the said Joseph H. Siddall, taken before one of the judges of the court of common pleas of the said city and county of Philadelphia, as containing respectively a true description of the said deeds and of the contents thereof, and a correct delineation thereof as laid out upon the ground, may be recorded in the office for the recording of deeds, et cetera, in and for the said city and county of Philadelphia; and the said book and plan, or a certified copy of the record thereof, shall, in case of the decease of the said Joseph H. Siddall, or his future incapacity to testify, be admissible in evidence in any suit or action touching such lots of ground or ground rents, and shall be taken to be *prima facie* evidence of the existence of the deeds therein referred to, and the location of the said lots of ground, in case of the loss or destruction of the said original deeds, subject to all legal exceptions that might be taken or made to the said original deeds or duly certified copies thereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

Authenticated copy of certain book and plan to be recorded.

Certified copy to be evidence of deeds referred to in same.

No. 645.

An Act

Authorizing the governor to appoint additional notaries public for the counties of Snyder, Luzerne, Allegheny and Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to those now provided for by law, the governor be authorized to appoint two additional notaries public for the county of Snyder, one to reside in the borough of Selinsgrove, and at Fremont, in said county; and one for the county of Luzerne, to reside in White Haven; one for the county of Allegheny, to reside in the city of Pittsburg, and one for the county of Clearfield, to reside in the village of Lewisburg.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 646.

A Supplement

To an act, entitled "An Act to empower the orphans' court of Adams county to authorize Adam Lerew, trustee of Hiram Albert, to purchase real estate, and also to decree the sale thereof," approved the third day of April, Anno Domini eighteen hundred and sixty-seven.

WHEREAS, Adam Lerew, trustee of the bequest to Hiram Albert, upon his petition was, by a decree of the orphans' court of Adams county, empowered to invest the trust fund in the purchase of real estate, as authorized by said act of assembly, and before executing said decree resigned, and was discharged from said trust, and thereupon P. D. W. Hankey was by said court appointed trustee to fill said vacancy; and upon his petition said court did authorize him to execute the decree made upon the petition of said Adam Lerew, and to invest said trust fund in real estate, agreeably to said act:

Preamble.

And whereas, The said P. D. W. Hankey, trustee, has executed said decree by the purchase of real estate, in which he

has invested said fund; and now, in order to confirm his said act of purchase,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the orphans' court of Adams county is hereby given jurisdiction and authority to confirm its decree authorizing Adam Lerew, trustee, to invest the sum of one thousand dollars, bequeathed to Hiram Albert, in the purchase of real estate, as authorized by the act to which this is a supplement, and its further decree authorizing P. D. W. Hankey, trustee, to fill the vacancy occasioned by the resignation and discharge of said Adam Lerew, to execute the said decree and to invest the said trust fund in the purchase of real estate, to be occupied and enjoyed by said Hiram Albert as a home for himself and family, and to ratify said purchase with like effect as if by said act it had been given jurisdiction and authority to make a decree authorizing said Adam Lerew, trustee as aforesaid, and his successors in said trust, and said P. D. W. Hankey, as such successor, to make such purchase and invest said trust fund therein; and all acts, decrees and confirmations made by said court, authorizing or ratifying such purchase of said real estate by said P. D. W. Hankey, trustee as aforesaid, and the said purchase, are hereby legalized and confirmed; said real estate to take the place of said trust fund, and to be held in trust for the purpose of a home for said Hiram Albert and his family, but subject to the power given in the original act, to the court, to decree a sale and conveyance thereof in its discretion.

Jurisdiction conferred on orphans' court of Adams county, &c.

Authorized to confirm certain decrees.

All decrees concerning purchase by trustee, ratified.

Exempt from enrolment tax.

SECTION 2. That no enrolment tax shall be required upon this supplement, such tax upon the original act having been paid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 647.

An Act

To incorporate the Mountain Spring Ice Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That William C. Ferriday, S. L. Fisler, William G. Stewart, E. J. Fox and Thomas L. McKean, and their associates, be and they are hereby constituted and appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Mountain Spring Ice Company, to carry on the wholesale and retail ice business; the office of said company to be located in Northampton county.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars each:

Provided, That the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock if it should be deemed necessary,

to an amount not exceeding four thousand shares; the said company shall have the power of borrowing any sum not exceeding in amount the one-half of their capital stock at the time said loan may be made, and at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by a bond and mortgage of the real and personal estate of the said company, together with the corporate rights and franchises granted by this act, and annex to the said bond and mortgage the privilege of converting the same into the capital stock of the said company, at par, at the option of the holders, if they shall signify their election one year before their maturity: *Provided also*, That the said company shall issue no certificate of loan of less denomination than one hundred dollars.

SECTION 3. That dividends of so much of the profits of said company, as shall appear advisable to the directors, shall be declared in the month of March, in each and every year, and be paid at the office of said company at any time after fifteen days from the declaring of the same; but said dividends shall at no time exceed the amount of the net profits of the said company, so that their capital stock shall not be impaired thereby; and if said directors shall make any dividend impairing the capital stock of said company, the directors consenting thereto shall be individually liable to said company for the amount so divided; and each director present when such dividends shall be declared shall be considered as consenting thereto, unless he or they enter a protest on the minutes of the board, and give public notice of the same.

SECTION 4. That the said company shall make and have a common seal, and have the power to alter and renew the same at pleasure, and also to ordain and establish, and put in execution, such by-laws, ordinances and regulations as shall appear necessary or convenient for the government of said corporation, and not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and singular, the matters and things which to them it shall lawfully appertain to do for the well being of said corporation, and the due ordering and managing the affairs thereof.

SECTION 5. The said company shall sue and be sued by the corporate name, and have the privilege of purchasing, conveying or holding such real and personal estate as may be

Corporators.

Name.

Capital.

Proviso.

Company may borrow money.

Proviso.

Dividends.

Liability of directors for impairing capital stock.

Seal.

By-laws.

Powers and privileges.

deemed requisite or convenient for the carrying on of their business aforesaid.

President and
directors.

SECTION 6. That said company shall have the power to elect or appoint a president and four directors, (a majority of whom, with the president, shall be citizens of this state,) and such other officers as may be deemed requisite or expedient by the stockholders; and in every election, each share of stock shall entitle the holder to one vote.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 648.

An Act

Authorizing the court of quarter sessions of Allegheny county to vacate certain streets, lanes and alleys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of Allegheny county shall have power to vacate the whole or any part of any street, lane or alley laid out in any borough incorporated therein, in case the same has never been opened or used by the public, or has been supplied or rendered unnecessary by the opening or laying out of a street or highway in the place thereof; and said court are required to proceed in such cases in all respects under the provisions of the law in this commonwealth, now in force, authorizing the vacation of public highways that have become useless or have been abandoned; and the confirmation of the report of viewers or re-viewers, vacating all or part of such street, lane or alley, shall have like effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 649.

An Act

To incorporate the borough of Verona, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the territory lying partly in Plum township and partly in Penn township, in the county of Allegheny, and included within the following described boundaries, to wit: Beginning at the junction of the southerly line of Richard Jones, with the water line of the Allegheny river; thence along said Jones line to the township road leading from Verner to Sandy creek; thence along said road northerly to the run which first crosses the same; thence up said run to Fourth street, as laid down in William Phillips's plan of lots at Verner; thence by line of said street and by said line protracted to Plum creek; thence along said creek to the western line of Caleb Lee's land; thence along the said Lee's land to the line of now land or late of John Diamond; thence by said Diamond's northern line to centre of Falling Spring run; thence by the centre of said run and along the courses thereof to low water mark of the Allegheny river, and thence along the low water line of said river to the place of beginning, be and the same is hereby erected into a borough, to be called Verona.

Boundaries.

SECTION 2. The said borough shall be a separate election and school district, and the electors thereof shall hold their borough and general elections at such place as may be designated by said borough authorities.

Name.

Borough to be a separate election and school district.

SECTION 3. The provisions of the act of incorporation of the borough of Birmingham, in said county, and its various supplements, so far as the same may be applicable, are hereby extended to the said borough of Verona, except so far as the same may be inconsistent with the provisions of this act; and the burgess and town council duly elected for said borough, and their successors in office, shall be a body politic and corporate, by the name, style and title of the burgess and town council of the borough of Verona.

Act incorporating borough of Birmingham, made applicable.

SECTION 4. The electors of said borough shall, on the third Wednesday after the passage of this act, at two o'clock in the afternoon of said day, meet at Hulton, at the station house of the Allegheny Valley Railroad Company, and elect by ballot the officers of said borough, who shall hold their offices until the first Monday in December, one thousand eight hundred and seventy-one, and until their successors shall be duly qualified, who shall be elected by ballot on the second Tuesday of October, one thousand eight hundred and seventy-one, and on the second Tuesday of October in each and every year thereafter.

First election of borough officers

Term.

SECTION 5. All assessments of taxes now made within the limits of the said borough of Verona, as defined by this act,

Township taxes assessed on property within borough limits to be paid to borough. Township collectors exonerated. for township purposes, by the authorities of Plum and Penn townships, for the current year, shall remain as assessed, but the same shall be collected by the collector of said borough of Verona for the use of said borough; and the collectors of said townships of Plum and Penn are hereby forever discharged and exonerated from the collection and payment of the same.

School directors may erect school buildings, &c.

SECTION 6. That the school directors of the said borough of Verona are hereby authorized to purchase such lands and erect and finish thereon such school house or houses as they may deem necessary to accommodate the wants of said borough or school district, and for such purpose to borrow any sum or sums of money, not exceeding ten thousand dollars, and to issue bonds therefor, at a rate of interest not exceeding eight per centum per annum; said bonds to be signed by the president and attested by the secretary of the board of school directors of said borough; and they are hereby authorized to levy an additional tax to that now allowed by law, to pay said bonds, at any time within ten years from their issue.

May borrow money.

Additional tax.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 650.

An Act

For the regulation and government of the Northampton county prison.

Management.

Board of inspectors, how appointed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the new prison erected by the commissioners of Northampton county shall be known by the name of the Northampton county prison, and shall be managed by five intelligent and reputable citizens of said county, not more than three of whom shall be of the same political organization, to be appointed yearly or oftener, in case of vacancy by death, resignation or removal, by the judges of the court of quarter sessions of said county, and who together shall form a board, to be called prison inspectors, and who shall take charge of the prison as hereinafter enacted and directed, and who shall

each receive as a compensation for their services the sum of Compensation.
fifty (50) dollars per annum.

SECTION 2. That the prison inspectors shall, at their first Duties of in-
meeting and annually thereafter, appoint of their number a spectors.
president and secretary; they shall keep regular minutes of
their proceedings, hold stated meetings once a month, and ad-
journd and special meetings whenever necessary; they shall
annually appoint a warden, physician, and when necessary a
matron and such under-keepers (except one to be appointed
by the keeper) and attendants as may be required in and
about the prison, and fix their salaries or compensation; a
majority of said prison inspectors shall constitute a board,
and may do any act or acts required of said inspectors, and
shall, with the approbation of the court of quarter sessions
of said county, make such rules for the internal regulation
and government of the prison as shall not be inconsistent
with the constitution and by-laws of this commonwealth, and
the principles of separate confinement, as set forth and de-
clared by this act; they shall direct the manner in which all
the bedding, clothing, provisions and all articles and supplies
necessary for the support and employment of the persons
confined in said prison shall be purchased, and also the sale
of articles manufactured therein, and shall direct the manner
in which the convicts confined in said prison shall be employed;
they shall determine the quantity and kind of food that shall
be furnished daily to each person confined in said prison and
the debtors' apartment; they shall determine the bedding of Clothing of pri-
all convicts, prisoners and debtors, and the kind of dress to soners.
be worn by male and female convicts and prisoners in summer
and winter; they shall, at least by one of their number, visit
the prison and apartment for debtors at least once a week,
and oftener if necessary, to see that the duties of the several
officers and attendants are correctly and strictly performed;
and they shall take proper measures to prevent oppression,
peculation or other abuse or mismanagement in the prison;
they shall on their visits speak to each person confined in the
prison, on which occasion they shall not be attended by any
of the officers of the prison, unless the said officers are thereto
especially required; they shall be furnished by the warden
with a calendar of the persons confined in the prison, when-
ever required, so that they may know, by actual inspection,
whether all the persons named in said calendar are confined
in the respective cells and apartments assigned to them, and
that the convicts are kept and employed as shall have been
directed; they shall have the power to examine any person
upon oath or affirmation or otherwise, touching any abuse or
oppression in the prison, or touching any other matter within
the sphere of their duties; they shall at any time after the
annual period of appointing, have power to dismiss the warden, May dismiss
physician or matron, or all or any person employed in warden, physi-
and about the prison, and to supply vacancies thus or other- cian, matron,
wise occurring; they shall make report in writing to the court &c., and fill
of quarter sessions of said county on or before the second vacancies.
Monday of the first term in every year, and at such other
time as the court may direct, of the state of said prison; which

report shall contain the number of prisoners in confinement, their age, sex and alleged place of nativity, time of commitment, for what offence, noticing those who escaped, died, and of the disease of which they died, and who were pardoned or discharged, and give such other information as they may deem effectual in the punishment and reformation of offenders; whereupon said court shall take such order on such report as they shall think necessary, and the same shall be filed in the office of the clerk aforesaid.

May discharge convicts without payment of fine or cost.

SECTION 3. That the board of prison inspectors may discharge from prison, without any proceeding under the insolvent laws of this commonwealth, every convict who shall have served out the term of his or her imprisonment, notwithstanding such convict shall not have paid the costs of prosecution, fine to the commonwealth, restored the property stolen or paid the value thereof, if in the opinion of said board of inspectors such convict is unable to pay or return the same:

Proviso.

Provided always, That such discharge shall in no way interfere with the rights of the commonwealth, the public officers, or any person interested in the payment of such costs or fine, or the restitution of property stolen; but no such discharge shall be allowed or granted by the said board of inspectors, until such convict shall have exhibited to them, on oath or affirmation, duplicate schedules of all his property, so far as he can ascertain the same; one of which schedules of property shall be filed and preserved with the papers of the prison, and the other forthwith delivered to the clerk of the court of quarter sessions of Northampton county, who shall file the same in his office.

May remove insane prisoners to State Lunatic hospital.

SECTION 4. That the said prison inspectors of said Northampton county prison, shall have full power and authority to remove from said prison to the State Lunatic hospital of Pennsylvania, any convict who may become or be insane while in confinement in said prison, upon the certificate of the prison physician as to the fact of such insanity, and upon the order of the court of quarter sessions of said county, or by one of the judges thereof directing such removal; which said convict shall be kept and maintained in said hospital, when removed as aforesaid, at the cost and expense of said county of Northampton, until the expiration of the time or times of his or her imprisonment, and shall then be discharged and liberated therefrom as a convict by order of said court of quarter sessions; and in the event of restoration to sanity, the said convict shall be re-transferred to the said Northampton county prison, as is provided by the third section of a supplement to the several acts of assembly, relative to the Pennsylvania State Lunatic hospital, approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-one.

May administer oaths, &c.

SECTION 5. That each of the prison inspectors as aforesaid shall have power, and is hereby authorized, to administer oaths to the prisoners in said prison, and to take the affidavits and depositions in all cases where the same is required by this act to be done.

When inspectors shall take charge of prison

SECTION 6. That the said prison inspectors shall take charge of said prison on the first day of December, Anno Domini

one thousand eight hundred and seventy-one, and thereupon issue their orders to the said sheriff of said county of Northampton, (who is hereby authorized and directed to execute the same,) commanding him forthwith to deliver all prisoners then in his charge to the warden of the prison, appointed by said prison inspectors, who shall each be confined in the cell or apartment assigned to him or her, and therein undergo the sentence or term of imprisonment imposed on such prisoner, as nearly as may be practicable, until the term of imprisonment shall expire, or until such prisoner be otherwise legally discharged.

SECTION 7. That every person who shall, after the passage of this act, be convicted in any court of criminal jurisdiction in the county of Northampton of any crime or misdemeanor, the punishment of which now is, or hereafter shall be, imprisonment in the county jail, shall be sentenced to undergo his or her imprisonment in the Northampton county prison, and in such case the said court shall designate in their sentence whether the said prisoner shall be confined in the debtors' or other departments of said prison.

Court to designate department for confinement of convicts.

SECTION 8. That every person who shall, after the passage of this act, be convicted in any court of criminal jurisdiction in the county of Northampton of any crime or misdemeanor, the punishment of which now is, or hereafter shall be, imprisonment in the state penitentiary, shall be sentenced by proper court to undergo said punishment, either in the state penitentiary or in the Northampton county prison, at the discretion of the court: *Provided*, That all convicts shall be subject to removal to the Eastern penitentiary at any time after sentence, and before the expiration thereof, at the discretion of the said court, with like force and effect as if originally sentenced to said penitentiary.

Courts may send convicts to county prison, or state penitentiary.

Proviso.

SECTION 9. That the warden shall, before entering on the duties of his office, be duly sworn or affirmed, truly and faithfully to discharge the duties of his appointment, a copy of which oath or affirmation shall be filed among the papers of the prison, and also give bond to the commonwealth of Pennsylvania, in such amount and with such surety as the court of quarter sessions of Northampton county shall determine and approve, conditioned for the faithful discharge and observance of all duties enjoined upon him by this act, or by any subsequent act that may be passed, or by the rules of the prison inspectors made in accordance therewith, for a just and accurate account of all moneys, goods, chattels and effects of all kinds and description whatsoever that may come into his hands or be placed under his care, in pursuance of said appointment, on behalf of said prison or any person confined therein, for his immediate removal from said prison when required so to do by the prison inspectors, and the delivery to his successor in office of all books, papers and documents; also, all goods, chattels and effects which he may have and hold in right of said appointment, and for the payment of any balance of money belonging to said prison or any person confined therein, remaining in his hands, and for the safe keeping of all prisoners committed to his charge, which bond shall

Warden to be sworn.

To give bond.

Bond liable to any person injured by acts of warden.

stand for the use of any person or persons injured by the acts and delinquencies of said warden, and may be proceeded on by any person aggrieved, in the same manner as is directed with regard to sheriffs' bonds; and all other persons employed in and about the prison shall, if the prison inspectors request it, give bond, with security, in such amount as they may direct, conditioned as near as expedient to that of the warden; said bond of warden to be taken and acknowledged before the recorder of deeds of said county, and recorded in his office at the cost of the respective officers, and the original bond shall be filed by the prison inspectors in their office; copies of the record of which said bonds, acknowledged and recorded as aforesaid, and duly certified by the recorder of deeds for the time being, shall be good evidence in any action brought against such warden, or his sureties on such bonds, according to its form and effect, in the same manner as the original would be if produced and offered in evidence.

Warden to take charge of all persons committed to prison

SECTION 10. That the warden of said prison, when qualified to act, and when he shall have entered upon the discharge of his duties, shall and he is hereby required and directed to receive and take charge of all persons lawfully committed by any court, judge, mayor, alderman or justice of the peace or other officer having power to commit to prison; and said warden shall be responsible for the safe keeping of all persons so committed, in the same manner and to the same extent that sheriff's and jailors are now liable.

Warden shall reside in prison.

SECTION 11. That the warden shall reside in the prison and shall not absent himself for a night without the consent of one of the prison inspectors, in writing; he shall visit every cell and apartment, and see and inspect the condition of every person confined in the prison twice every day, and oftener if practicable, and when visiting the department of the females shall be attended by the matron; he shall keep a journal, in which he shall regularly enter the reception, discharge, death, pardon or escape of the prisoners, the complaints that are made and punishments inflicted for breach of prison discipline as they occur, the visits of the inspectors and physicians, and all other occurrences of note that concern the state of the prison; he shall report all infractions of the rules of the prison inspectors, and with the approbation of one of them, punish the offender in such manner as shall be directed by the rules of the prison; he shall, with the advice of the said inspectors, appoint an under-keeper, if necessary, and dismiss him when he thinks proper or the prison inspectors direct him so to do; he shall take charge of, keep and preserve all money, effects and clothes found on any person brought into the prison, and deliver the same to such person, or their order, when discharged; he shall see that all meals are regularly delivered to the prisoners according to the prison allowance, and shall superintend the work of such as are employed in the prison; he shall give immediate notice to the physician whenever any person confined in the prison shall complain of sickness requiring medical aid; he shall obey all legal orders given by the prison inspectors, and conform to all rules established for the government of the prison.

Inspection of prisoners.

Other duties.

SECTION 12. That the matron shall reside in the prison and shall not absent herself for a night without the consent of the keeper and one of the prison inspectors, in writing; she shall visit every cell and apartment occupied by a female, and see and inspect the condition of every female prisoner twice a day and oftener if necessary; she shall faithfully inform the warden daily, and oftener if necessary, of every matter of importance relative to the persons, cells and all other matters under her care; she shall direct the labor and occupation of the female prisoners, under the general direction of the warden, and give such instruction as may tend to their reformation and render them useful members of society.

Duties of matron.

SECTION 13. That the physician shall visit every prisoner at least once in every two weeks, and oftener if his or her state of health requires it, and report, in writing, once in every three months, to the prison inspectors; he shall attend immediately on notice from the warden that any prisoner is sick, and prescribe and administer medical aid to such prisoner; he shall, on the reception of any person into the prison as a convict, if present, or if not, at his next visit, examine the state of his or her health; he shall direct the diet of prisoners under his care, and such other matters as in his judgment will best promote the health, convenience and comfort of the sick.

Duties of physician.

SECTION 14. That the under-keepers, if any, shall inspect the condition of every person committed to their care three times in every day, and oftener if directed; they shall see that all meals are regularly delivered to the prisoners according to the prison allowance and rules, and superintend, under the general direction of the warden, the work of all prisoners who are employed; they shall give immediate notice to the warden, or in his absence to the physician, whenever any person confined shall complain of illness requiring medical aid; each one of the under-keepers shall have a certain number of persons confined assigned to his care by the warden, and he shall make a daily report to the warden of their health and conduct; and no under-keeper shall be present when the warden or any of the inspectors shall visit the persons confined under his particular care unless required; they shall obey all orders given by the warden, and conform to all rules established for the government of the said prison; all orders to the male under-keepers must be given through or by the warden, and to the female keepers through or by the warden or matron; they shall not absent themselves from the prison during the hours of duty without permission, in writing, from the keeper.

Duties of under-keepers

SECTION 15. That on the reception of any person committed for trial, he or she shall be examined by the warden, in the presence of the officer or other person delivering such prisoner, and such of the prison inspectors as may be present, and also such under-keepers as can conveniently attend, and all money and effects, clothing excepted, on their persons, shall be taken from the prisoners so committed, of which an entry shall be made in a book provided for that purpose; such entry shall be signed by the keeper and attested by the

Persons committed for trial

persons who may be present at the examination and taking of such clothing, money and effects; which clothing, money and effects, shall be kept and preserved and restored to the prisoner when discharged from imprisonment; the prisoners shall then, if necessary, be bathed and conducted to the cell assigned to him or her; if deemed advisable and practicable by the board of prison inspectors, the female prisoners shall be confined in the second story of the prison; the prisoners mentioned in this section shall be numerically designated, by which number each shall thereafter be known during his or her imprisonment; such prisoner shall be provided, when in the opinion of the prison inspectors it is necessary for their comfort, with suitable clothing, to be worn while in prison; they shall be subject to such rules as the prison inspectors may adopt for the preservation of cleanliness, decorum and order in the cells among the prisoners, and may be punished by closer confinement and deprivation of food, to compel obedience to such rules; no prisoner shall be discharged while laboring under any dangerous disease, unless by his own desire; two changes of linen shall be furnished to each prisoner every week in summer and one to each every week in winter; persons committed for trial shall not be compelled to labor unless at their own desire, and should any person desire to work, he or she shall, as soon as practicable, be put to labor at such work as may be carried on in the prison, and in case of acquittal and discharge, he or she shall be paid for the labor performed, by the prison inspectors, out of the funds of the prison, such sums as the inspector shall judge to be fair and proper; and every such person may procure books and writing material, at his or her own expense, and shall be allowed to read and write, subject, nevertheless, to such restrictions as the prison inspectors may prescribe in relation thereto.

Prisoners to be bathed, if necessary.

Cleanliness, decorum and order to be preserved.

Prisoners may read and write under prescribed restrictions.

Convicts to be examined.

Record of examination.

Prisoners to be bathed and unformed.

SECTION 16. That on the reception of a convict for imprisonment in said prison, he or she shall be examined by the warden, in the presence of any of the prison commissioners who may be present, and of the under-keepers who can conveniently attend, touching his or her name, parentage, alleged place of nativity, profession, occupation or trade, complexion, color of hair, eyes, and have the convict's height and the length of his or her foot accurately measured, and take a note of all accidental marks and peculiarity of feature or appearance which may serve to identify the person, and if the convict can write he or she shall be required to write his or her name or signature to the description of his or her person; the convict shall be examined by the physician if present, as to his or her health, and all money, effects and clothes on the person shall be taken and kept and preserved, and afterwards delivered to the prisoner as before provided, all of which shall be entered in a book for that purpose; the prisoner shall be then bathed, cleansed and clothed in the uniform of the prison, and placed in the cell assigned to him or her; if deemed advisable and practicable by the board of prison inspectors, the female convicts shall be placed in cells in the second story of the prison, and the prisoners shall be

numerically designated, by which numbers he or she shall thereafter be known during his or her imprisonment; no convict shall be allowed the use of ardent spirits in any form, unless, under the special direction of the attending physician, nor the use of tobacco, unless so directed by the prison commissioners, or be permitted to receive anything but the prison allowance; and any person who shall supply or attempt to supply a convict with any article by this clause forbidden, shall, on conviction, be fined not less than twenty nor more than one hundred dollars, and if an officer or keeper, shall be dismissed; no convict shall be discharged while laboring under a dangerous disease, although entitled thereto, unless by their own desire; the uniform of the male convicts shall be jacket and trowsers of cloth, of warm material for the winter and lighter material for the summer; the form and color shall be determined by the inspectors; and the kind of dress to be worn by the female convicts, in summer and winter, fixed on as hereinbefore provided for; two changes of linen shall be furnished to each convict every week in summer, and one in winter; when a convict shall be discharged by the expiration of his or her term of imprisonment, or by pardon, the clothes belonging to the prison shall be taken off and those belonging to the convict restored, together with any money or effects taken from him or her at the time of reception into prison, as hereinbefore provided for; if he or she shall not possess any money or suitable clothing, the prison inspectors shall provide them with what in their judgment may be necessary, not exceeding in clothing and money ten dollars in amount.

Ardent spirits and tobacco, prohibited.

Fine for supplying prisoners with forbidden articles.

Material of uniforms.

Changes and disposition of clothing.

SECTION 17. The official visitors of the prison shall be the governor, the members of the legislature, the secretary of the commonwealth, the judges of the supreme court, the president and associate judges, attorney general, district attorney, grand jurors, inspectors and sheriff of the county of Northampton; no person who is not an official visitor, or has no written permission according to such rules as the prison inspectors may adopt as aforesaid, shall be allowed to visit the prison, except attorneys at law, who shall be permitted to visit their clients confined for trial; none but the official visitors shall have any communications with the convicts, nor shall any visitor whatever, be permitted to deliver to, or receive from any convict or any other person confined, any letter or message whatever, or to supply them with any article of any kind, excepting such letters or messages to or from persons confined for trial, as shall first be submitted or communicated to the warden or one of the prison inspectors, and by him approved of, under a penalty of one hundred dollars.

Official visitors.

No others admitted without written permission.

Communication with prisoners, prohibited.

Penalty.

SECTION 18. That no inspector, warden, matron, or other person employed or appointed to execute any duty, trust or employment in or about the Northampton county prison, shall, without permission from the board of prison inspectors, sell any articles of any kind to a prisoner, or to or for the use of the person aforesaid, or to be concerned in any contract connected with such sale, or inflict any punishment not author-

Employees of prison forbidden to sell to prisoners.

Unauthorized
punishments,
forbidden.

ized by this act, or by any subsequent act that may be passed, or the rules of the prison inspectors in accordance therewith; and any violation of this law, or any subsequent act relative to said prison, shall be considered and adjudged a misdemeanor; and on conviction of any such offence before the court of quarter sessions, the person so offending shall be punished by any fine not less than twenty, nor more than one hundred dollars, and be imprisoned for a term not less than three, nor more than twelve months, and shall be immediately removed from such office or appointment.

Penalty.

How penalties
are recoverable.

SECTION 19. That the penalties imposed by this act, the recovery of which is not herein specially provided for, shall be recovered in the name of the commonwealth of Pennsylvania, for the use of the county of Northampton, by an action of debt, before any justice, alderman or court of record having jurisdiction in sums of that amount.

County treas-
urer to furnish
funds for keep-
ing prison, &c.

SECTION 20. That for the funds necessary for keeping, maintaining and furnishing said prison, the said prison inspectors are hereby authorized to draw their order on the treasurer of said county of Northampton, in such sums and at such times as shall be necessary to satisfy all just demands.

Treasurer to
keep separate
accounts of
money disburs-
ed for prison.

SECTION 21. That the treasurer of the said county of Northampton shall, in addition to his other duties, keep separately a just and true account of all moneys disbursed on said prison which accounts shall at all times be open to the inspection of the prison inspectors and each of them; he shall once in each year, in connection with the county statement, state his prison accounts, for which, after the inspection of the prison inspectors, he shall produce his vouchers and lay them before the county auditors for settlement, to be acted and reported on in connection therewith, and as all other accounts of the county are by law authorized to be settled, and shall be subject to like appeal, issue and judgment; which account, when so settled, the prison inspectors shall cause to be published, in a manner similar and in connection with the annual account of county expenditures; he shall deliver to his successor in office all books, property, documents and other things held in right of his office for said prison.

How settled.

Repeal.

SECTION 22. That all acts of assembly heretofore passed on the subject of county prisons, so far as the same are inconsistent with this act, are hereby repealed, so far as regards the Northampton county prison.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 651.

An Act

To authorize the school directors of Phoenixville school district to purchase books and stationery for the use of the schools.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the school directors of the borough of Phoenixville, in the county of Chester, are hereby authorized to purchase and pay for the same, out of the school fund of said district all books and stationery that are now required or that may hereafter be required in the public schools of said school district; and that the pupils attending any of the public schools in said district shall have the use, without charge, of the said books and stationery, subject to such regulations as may be deemed necessary by the board of directors.

School directors may purchase books and stationery out of the school fund.

SECTION 2. That the board of directors of said school district, and their successors in office, shall make from time to time, alter and amend the necessary rules and regulations for the care, use and return of the books and stationery, when no longer required by the pupil, and ordain such penalties for the abuse, loss or detainment thereof, as shall to them seem just and proper; which penalties shall be recoverable from the parent or guardian of the pupil as debts of like amount are now recoverable.

May make rules concerning books, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 652.

An Act

To repeal an act, entitled "An Act appointing commissioners to lay out a state road from Wilcox to Williamsville, in Elk county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act, entitled "An Act appointing commissioners to lay out a state road from Wilcox to Williamsville, in Elk county," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 653.

A Supplement

To an act, entitled "An Act revising the road laws in the township of Clinton, in the county of Butler," approved the second day of April, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

May levy tax for
certain purposes

That the road commissioners of Clinton township, in the county of Butler, be and they are hereby authorized to annually levy and collect a money tax sufficient to buy all necessary material for building and repairing bridges, and to pay for putting up index boards in said township, and also to pay said commissioners for their services under the act, approved April second, one thousand eight hundred and sixty-nine, entitled "An Act revising the road laws in the township of Clinton, in the county of Butler:" *Provided*, That said money tax, and the tax assessed in said township for road purposes, do not exceed the amount now limited by law for road purposes.

Repeal.

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 654.

An Act

Making it obligatory upon all persons, in the county of Montgomery, applying to the court of quarter sessions for a jury to view and lay out public roads in said county, to notify the county commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all persons making application to the court of quarter sessions for a jury to view, review or re-review any proposed route for a public road in said county, shall give to the county commissioners or their attorney at least six days' notice of the time and place of meeting of said jurors of view, review or re-review.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 655.

An Act

Authorizing the council of the borough of Birmingham, in the county of Allegheny, to borrow money and issue bonds to erect a new market house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough council of the borough of Birmingham, in the county of Allegheny, are hereby authorized and empowered to borrow an amount of money not exceeding the sum of fifty thousand dollars, the same to be applied to building a market house in said borough; and for that purpose they are hereby authorized and empowered to issue coupon bonds, to an amount not exceeding the said sum of fifty thousand dollars, with interest at a rate not exceeding eight per centum per

Council may
borrow money
to build market
house.
Limitation.
Rate.

annum, payable semi-annually at the office of the treasurer of said borough.

Revenue from
market house.

SECTION 2. That all the income or revenue arising from said market house shall be applied to the payment of said bonds, principal and interest, until paid, after which, to be applied as said council may direct; and for the redemption of said bonds, and the payment of the interest thereon, the faith, credit and property of the borough shall be pledged.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 656.

An Act

To authorize the consolidation of adjacent territory with the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Pittsburg shall be and is hereby authorized to admit into said city any borough, township or portion of township in the county of Allegheny, adjacent to said city, upon the following conditions: In case of any organized borough, the application for admission shall be made to the councils of the city of Pittsburg, by an ordinance duly passed and adopted in manner provided by the laws relating to said borough; in case of any township or portion thereof, the application shall be made by petition of at least three-fifths of the taxable inhabitants of the townships or the portion thereof desiring admission, and if only a portion of said township desires to be admitted, the petition shall set forth the boundaries of the district desiring admission; the said petition shall, in either case, be accompanied by an affidavit of a reputable citizen of said district, that the persons signing the same are taxable inhabitants, and constitute, as he verily believes, three-fifths of all the taxable inhabitants of said district; and upon presentation of the ordinance or petition as above provided, it shall be lawful for the councils of the said city of Pittsburg to pass and adopt, in manner provided by law, an ordinance admitting said borough, township or portion of any

City may consolidate with boroughs, townships, &c.

Conditions.

township into said city; and upon the passage of such ordinance, the ordinance or petition asking for admission shall be published and recorded with the ordinance admitting such borough, township or portion thereof into said city: *Provided*, That no ordinance of application for admission shall be finally adopted by the councils of any borough until after the question of admission shall have been submitted to the voters of said borough, at a special election, held at such time and in such manner as the councils thereof may direct, and a return thereof made, showing that a majority of the votes cast were in favor of such admission; any ordinance admitting any borough, township or portion thereof into said city, the inhabitants of any district thus admitted shall be authorized, at the first ensuing annual election, to vote for all city officers to be elected, and also to elect its proper number of members to the city councils, and on and after the ensuing first day of January shall become a part of the said city of Pittsburg, and the inhabitants thereof shall thereafter have all the rights and privileges of citizens of Pittsburg, and the territory thus admitted and the inhabitants thereof shall thereafter be subject to all the laws and ordinances relating to the city of Pittsburg; and all the laws and ordinances of any borough or township so admitted, inconsistent with the laws and ordinances of said city of Pittsburg, shall thereafter be null and void.

Question of admission to be submitted to a vote.

New district to elect its proper number of councilmen.

SECTION 2. Each ward, borough, township or portion of township which may be admitted into said city, shall constitute a ward of said city: *Provided however*, That if any township or portion thereof, admitted to said city, shall contain a population of less than eight hundred inhabitants, it shall be annexed to and become a part of the ward or wards to which it may be adjacent, as may be provided for in the ordinance of the councils admitting the same.

Each new district to be a ward. *Provido*.

SECTION 3. It shall be the duty of the councils of the city of Pittsburg, as soon as practicable after the passage of an ordinance admitting any ward, borough or township into said city, to fix by ordinance the representation of the said ward or wards in the select and common councils of the said city, which representation shall continue until changed by law: *Provided however*, That each ward shall be entitled to two members of the select and common council each, and in the common council to such further representation as its taxable inhabitants may entitle it by the charter of the said city.

Duty of councils

SECTION 4. The term adjacent, as used in this act, shall not be construed nor preclude the admission of any borough, township or part thereof separated from said city of Pittsburg by the Monongahela, Allegheny or Ohio rivers, nor shall it be construed to permit the admission of any district between which and said city and territory not previously admitted may intervene.

Territory separated by the rivers not precluded.

SECTION 5. In case any borough, township or portion thereof, which may be admitted to the city of Pittsburg under the provisions of this act, shall have at the time of its admission any corporate indebtedness, a commissioner shall be appointed as provided for by thirty-third section of the consolidation

Commissioner to ascertain separate indebtedness.

act, approved the sixth day of April, one thousand eight hundred and sixty-seven, which shall ascertain the separate indebtedness of each city, borough or township so admitted, in the manner and subject to all the provisions of the thirty-third, thirty-fourth and thirty-fifth sections of said act, and also the sixteenth section of a supplement thereto, approved the first day of April, one thousand eight hundred and sixty-eight: *Provided*, That the district court of Allegheny county shall fix the rate of special taxation in each borough or township, which shall continue until the separate indebtedness ascertained shall be paid.

District court to fix rate of special taxation.

Duties of assessor.

SECTION 6. That in all territory admitted to said city under the provisions of this act, the assessor in making his return of real estate shall mark in the margin of his book, opposite to the property of every taxable used for agricultural purposes, the word "rural," and upon real estate so returned there shall be assessed and collected only two-thirds the rate for city taxation that shall be charged upon other real estate within said city.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 657.

An Act

To change the mode of collecting borough tax in the borough of Indiana, in Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the mode now provided by law for collecting the borough tax within the borough of Indiana, the same shall be done as follows: As soon after the organization of the council in each and every year as practicable, and not later than the first day of May, the town council shall fix the rate per centum of the tax, and cause a duplicate of the same to be made out and placed in the hands of the borough treasurer, who thereupon shall give notice, by hand-bills, that the same is in his hands, and that he is ready to receive taxes; on all taxes paid on or before the first day of July, the treasurer shall allow an abatement of ten per centum; on all paid

Time for fixing rates and issuing duplicates.

Notice.

subsequent to the first day of July, and prior to the first day of September, he shall receive the amount in full; on the first day of September, in each year, the treasurer shall make out a list of delinquent tax-payers, with the amount due from each, with five per centum additional added, and place the same in the hands of the high constable, whose duty it shall be to receive the same, under a penalty of fifty dollars; and the said treasurer is hereby authorized to issue to said constable his warrant to collect said taxes, granting him all the powers and immunities now by law invested in the collectors of county rates and levies: *Provided*, That no further or additional notice to tax-payers shall be required than the advertisement as aforesaid: *And provided further*, It shall be the duty of said constable to proceed immediately to collect the same by levy, distress and arrest, in obedience to his warrant, and to make a return of his warrant and the amount collected, within sixty days from the time the same is placed in his hands; and on failure to do so, or to faithfully execute his warrant, he shall be personally responsible for the amount not collected, except such amounts as the council may have previously exonerated him from collecting; and the said amount for which he becomes responsible may be recovered from him by the borough, as other debts are by law recoverable; the said treasurer and constable shall give bond, conditioned for the faithful discharge of their respective duties, and the prompt disbursement and payment of all money belonging to the borough in their hands, according to law and the ordinances of the borough, in such amounts and with such security as council may prescribe.

Abatement.

Delinquent tax-payers.

No additional notice.

Duty of constable.

Treasurer and constable to give bond.

SECTION 2. All acts and parts of acts inconsistent with the provisions of this act, so far as the same relates to the borough of Indiana, be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 658.

An Act

Giving a bounty on fox scalps in the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act any person or persons who may kill any fox or foxes within the county of Carbon, shall produce the scalp or scalps having the ears thereon, before the commissioners of Carbon county, and it shall be the duty of the said commissioners to examine such person or persons on oath or affirmation, touching the time when and the place where such fox or foxes was or were taken and killed; and if the same shall be found to be within the bounds of said county, it shall be the duty of the county commissioners to draw their warrant on the county treasurer for the sum of two dollars for each and every scalp of a full grown fox, and one dollar for those that are less than full grown, in favor of the person or persons so producing; and it shall be the duty of such treasurer, and he is hereby directed, to pay the amount of said order.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 659.

An Act

To validate and make legal the official acts of the officers of Latrobe borough, in the county of Westmoreland, for the years one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-eight, and one thousand eight hundred and sixty-nine, though they failed to take the oath of office, as required by law.

Preamble

WHEREAS, In various years since the incorporation of the borough of Latrobe, in the county of Westmoreland, under the general borough law of the commonwealth, and particularly in the years one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-eight, and one thousand eight hundred and sixty-nine, the persons elected to fill the respective borough offices either wholly omitted to take and subscribe the oath required by the statute in such case made and provided, before entering upon the discharge of their respective duties, or having taken and subscribed to such oath, the same was not preserved among the records of said borough of Latrobe; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the persons shown to have been elected to the various offices of said borough of Latrobe, or any such person in or for any year, term or part of year or term, by the proper election returns of such election, and who took upon themselves to discharge the duties of the respective offices to which they were elected, yet omitted to take and subscribe the requisite oath or affirmation, or having taken and subscribed such oath or affirmation, and the same not having been preserved among the records of said borough of Latrobe, shall be held and considered to be the proper legal officers of said borough for the term or part of term for which they were elected, the same as if such oath or affirmation had been taken and preserved; and all acts done by such persons, by virtue of being elected to their respective offices, as shown by the minutes kept by them or other competent evidence, shall be held and considered as valid and binding to all intents and purposes, the same as if said oath or affirmation had been duly taken and preserved; and in all suits or actions by or against the said borough of Latrobe, it shall be sufficient to show the persons elected to the respective offices for said borough that the oath or affirmation is not to be found among the borough records, and that the persons so elected took upon themselves to discharge the duties of their respective offices.

Acts of officers who failed to qualify, legalized.

SECTION 2. The provisions of this act shall apply to persons chosen or appointed by the board of burgesses to any office or duty, before entering upon which such person or persons should have taken and subscribed an oath or affirmation to discharge the same with fidelity, but either failed to take and subscribe such oath or affirmation, or having taken and subscribed it, the same was not preserved among the records of said borough of Latrobe.

Provisions to apply to persons appointed by burgesses.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 660.

An Act

To authorize the board of school directors for the borough of Pleasantville, Venango county, to increase the school tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after this date the board of school directors for the borough of Pleasantville school district, Venango county, state of Pennsylvania, are authorized to levy a tax for school purposes, not exceeding two per centum per annum of the assessed valuation of said school district.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 661.

An Act

Relating to the borough of Cambria, in the county of Cambria, extending the jurisdiction of the same, and authorizing the police thereof to make arrests beyond the limits of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the jurisdiction of the borough of Cambria, in the county of Cambria, shall be and the same is hereby extended over the Conemaugh river to the middle of the stream, where it bounds the said borough, and the town council shall have power to enact and enforce ordinances needful for the protection of the banks and channel of said stream.

SECTION 2. That the burgess and town council of the said borough shall have power to employ one or more policeman to preserve the peace of the said borough and enforce its ordinances; and any policeman of said borough having a warrant for the arrest of any offender against the laws or ordinances of the same, is hereby empowered to make arrests any where in Cambria county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

Borough jurisdiction, extended.

Authorities may employ policemen.

No. 662.

An Act

Relative to the military fund of Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of Clinton county is hereby authorized and required to pay, out of the military fund of said county, all the military expenses remaining unpaid which were incurred under the provisions of the act of assembly of April twenty-first, one thousand eight hundred and twenty-eight, and for which orders were drawn upon the county treasurer by the board of officers, as provided by the third section of said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 663.

An Act

To incorporate the Columbia Dime Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ephraim Hershey, George Bogle, William Patton, Hiram Wilson, J. Houston Mifflin, Chas. J. Nourse and Samuel Grove, together with such other persons as shall become stockholders in the said bank, shall be and they are hereby created a corporation and body politic, by the name and style of the Columbia Dime Savings Bank, and shall continue until the first day of January, Anno Domini one thousand eight hundred and ninety-one, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable to have, purchase, receive, possess, enjoy and retain, to them and their successors, such real estate as may be necessary for the trans-

Corporators.

Name.

Limitation.

Powers and privileges.

May hold real estate.

action of their business, together with such as may be held by said bank as security for debts or in satisfaction thereof, and the same to grant, mortgages or demise; also to make, have and use a common seal, and the same to alter and renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution and laws of this state or of the United States.

Seal.

By-laws.

Business.

SECTION 2. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper; may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance; and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estate, real or personal, or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Deposits.

SECTION 3. That it shall be lawful for the said bank to receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by corporations, boatmen, tradesmen, clerks, mechanics, laborers, servants, minors, married women and others, and to allow such interest for money so received as may be agreed upon between said bank and said depositors; to loan out the same, together with any other moneys they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange, and to issue certificates for said deposits.

Financial agent

SECTION 4. It shall be lawful for said bank to transact business as a natural person, and as such to become and act as treasurer and financial agents of charitable and religious institutions and corporations, and as financial agent of state and city governments, and of counties, in the management of their business, and shall give security to such institutions and governments for the faithful performance of the duties required.

Capital.

SECTION 5. That the capital stock of said bank shall consist of one thousand shares, of the value of twenty-five dollars each, with the privilege of increasing the same from time to time by a vote of the stockholders, to an amount not exceeding four thousand shares, of like value per share, which shall be paid in such instalments as the said bank shall by its by-laws direct: *Provided*, That the said bank may commence operations as soon as twelve thousand five hundred dollars of the capital stock shall have been paid in.

Officers.

SECTION 6. That the affairs of said bank shall be conducted by a president and six directors, to be chosen as hereinafter directed and provided; that the said president and directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensa-

tion of the same ; and all officers shall give bonds with good sureties, in such sums as may be required by said board, for the performance of their several duties. To give bond.

SECTION 7. That the said bank shall keep its office in some suitable place in the borough of Columbia, Lancaster county, and on the first Monday in June after the acceptance of this charter, and on the first Monday of January, annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the bank, and by ballot elect one person for president and six persons as directors, who shall continue in office one year ; that in the election for president and directors the said stockholders shall be governed by the general laws of the commonwealth regulating the manner of conducting elections in banks and savings institutions, and the number of votes to which the several stockholders shall be entitled, so far as the same may be applicable : *Provided however*, That no person shall be elected president or director in said bank who is not a stockholder therein ; and that all vacancies occasioned by death, resignation or refusal to serve, shall be supplied in such manner as the said bank may by its by-laws direct. Location.
Meeting of stockholders.
Election of directors, &c.
Proviso.

SECTION 8. That deposits made by minors or married women in said bank may be re-paid to them, and their receipts shall discharge said corporation from any further claims for the sums so re-paid. Deposits by married women and minors.

SECTION 9. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law. Bonus and taxes

SECTION 10. That the said bank not being a bank of issue shall not be subject to the restrictions provided in section seventeenth of an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks," approved April twenty-second, Anno Domini one thousand eight hundred and fifty-four. Not subject to certain restrictions.

SECTION 11. That the legislature hereby reserves the power to alter, revoke or annul the said bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators. Right of repeal.

SECTION 12. The stockholders of said bank shall be individually liable for the debts of said bank, in double the amount of stock held by them. Individual liability.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 664.

An Act

Regulating the mode of granting licenses to taverns, brewers and vendors of liquor, with or without goods, in the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Quarter sessions
court to appoint
board of licens-
ers.

That it shall be the duty of the judges holding courts of quarter sessions for the county of Erie, at the February term of said court of each and every year hereafter, to appoint six persons, one from each ward in said city, as a board of licensers

Powers of board

for the city of Erie; said board of licensers to have the same power and authority to grant licenses, in the said city of Erie, as the court of quarter sessions by law now have: *Provided,*

Quorum.

That not less than five members of said board shall constitute a quorum, and no license shall be granted unless at least four members of said board shall consent thereto and sign the same.

Applications
for license, when
to be filed, &c.

SECTION 2. All applications for license to said board shall be filed with the clerk of the court of quarter sessions, in accordance with the eighth section of the act of the thirty-first March, one thousand eight hundred and fifty-six, entitled "An Act to regulate the sale of intoxicating liquors;" and the provisions of said section shall first be complied with before granting the license, and each application for license

Requirements.

shall also state the street and number, if there be any, of the place to be licensed, and if there be no number, between what intersecting streets said place is located, and the exact residence of the sureties in the bond accompanying the same; and each applicant shall, on the filing of his, her or their petition for license, pay the clerk the sum of three dollars as clerk's fee and for publishing notice, and also the further sum of four dollars as fees for said board.

Fees.

Licenses to be
classified.

SECTION 3. That licenses shall be granted for the keeping of eating houses in said city, which shall authorize the sale of liquors, foreign and domestic wines, brewed and malt liquors; and said eating houses shall be classified and rated according to the provisions of the twenty-second and twenty-third sections of an act, entitled "An Act to create a sinking fund, and for the gradual and certain extinguishment of the debt of the commonwealth," passed April tenth, one thousand eight hundred and forty-nine: *Provided,* That no license shall be granted for a less sum than fifty dollars.

Repeal.

SECTION 4. That section thirteen of the act, entitled "A supplement to an act regulating the sale of intoxicating liquors," passed the twentieth day of April, one thousand eight hundred and fifty-eight, be and the same is hereby repealed, so far as the same applies to the city of Erie.

Term of board.

SECTION 5. That said board of licensers shall hold said office for the term of one year, and in case of vacancy occurring, the

said board shall have power to fill said vacancy until the February term of the court of quarter sessions, when the court shall appoint a new board. Vacancies.

SECTION 6. Said board shall meet for hearing applications for license on the first Monday of April of each year, and continue in session from day to day until all applications are disposed of, except in this year, when the said board shall meet within ten days after the passage of this act; and all licenses in said city shall expire on the first Monday in April of each year; said board may have the right to convene at any time on notice, or according to adjournment, to hear applications that could not be heard at the first meeting or that may have been continued by said board. Time of meeting.

SECTION 7. The following named persons shall constitute the board of licensers until the February term of the court of quarter sessions, in one thousand eight hundred and seventy-two, and to hold first session for hearing applications for licenses within ten days after the passage of this act, viz: David Kennedy, John Gensheimer, O. Noble, William F. Rindernecht, Henry Gingrich and William Henry. Members of first board.

SECTION 8. All acts, or parts of acts, inconsistent with the provisions of this act, are repealed so far as the same applies to the city of Erie. Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 665.

An Act

Relating to the Mount Sinai Cemetery Association of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any person or persons shall open any tomb or grave in the lands of the cemetery of the Mount Sinai Cemetery Association, Philadelphia, and clandestinely remove, or attempt to remove, any body or remains therefrom, such person, upon conviction thereof, shall be sentenced to undergo an imprisonment in the prison of the county of Philadelphia, at hard labor, for a term of not less than one, nor more than five years, and pay a fine of not less than five hundred dollars, at the discretion of the court of quarter sessions for the county of Philadelphia; and any person who shall wilfully Penalty for opening graves or removing remains.

Mutilating
monuments,
railings, &c.

Discharging
fire-arms, for-
bidden.

Lots to be held
for sepulture
alone.

Streets and
road through
cemetery, pro-
hibited.

destroy, mutilate, deface, injure or remove any tomb, monument, grave-stone, railing, fencing or other structure placed in the cemetery aforesaid, or any fence or railing or other work for the protection or ornament of said cemetery, or of any tomb, monument, grave-stone or other structure placed therein as aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of said cemetery, or shall shoot or discharge any gun or other fire-arms within said limits, shall be deemed guilty of misdemeanor, and shall, upon conviction thereof before any justice of the peace or alderman of the county of Philadelphia, be punished by a fine, at the discretion of the justice or alderman, according to the aggravation of the offence, of not less than five, nor more than fifty dollars, or shall, on conviction thereof in the court of quarter sessions of said county, be punished by a fine as aforesaid, and by punishment, according to the aggravation of the offence, at the discretion of the court, for a term of not less than six months, or more than three years.

SECTION 2. That every lot in the said cemetery of the Mount Sinai Cemetery Association of Philadelphia shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and officers thereof, and shall not be subject to attachment or execution.

SECTION 3. That for as much as humanity, and a decent respect for the dead and the feelings for the survivors, require that the graves of the deceased should never be violated, nor families separated in their last resting place, no public street, road or passage shall ever be opened through said cemetery without the consent of the said corporation, under their common seal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY,

No. 666.

An Act

Authorizing the burgess and town council of the borough of South Pittsburg, in the county of Allegheny, to borrow money, issue bonds and to levy and collect a tax for the redemption of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess and town council of the borough of South Pittsburg, Allegheny county, Pennsylvania, be and are hereby authorized to borrow any amount of money, not exceeding five thousand dollars, payable at any time not exceeding five years from the date of such loan, and to issue bonds for the same, bearing seven per cent. interest; said loan to be applied to the purchase of a house and fire engine and the necessary equipments for a fire company; and the said borough are further authorized to levy a tax, not exceeding one per cent. on the taxable property of said borough, in addition to that now authorized to be assessed and collected, or as much thereof as may be necessary for the redemption of said securities within the time specified.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 667.

An Act

To provide for the completion of the Marine hospital at Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the sum of thirty thousand dollars is hereby appropriated to the Marine hospital at Erie, for the purpose of fitting the building for the reception of patients and paying the debt of the corporation, but only on the condition that the said Marine hospital corporation shall re-convey to the state of Pennsylvania, by good and sufficient deeds, to be approved by the attorney general, all lands in any way granted to said Marine hospital by its act of incorporation, approved March twenty-second, Anno Domini one thousand eight hundred and sixty-seven, and the buildings now thereon, with the appurtenances, to be held by the state for the uses and purposes defined in said act incorporating the Marine hospital at Erie, and on the further condition that said Marine hospital corporation shall convey to the United States of America all title it may have to the peninsula of Presque Isle, obtained from the state of Pennsylvania by act of February fourth, Anno Domini one thousand eight hundred and sixty-nine, entitled "A supplement to an act incorporating

Appropriation to Marine hospital.

Condition.

Hospital to convey peninsula to United States.

the Marine hospital at Erie," to be held by said United States, as near as may be, in its present condition, and only for the purposes of national defence and for the protection of the harbor of Erie, but in all other respects to be subject to the civil and criminal jurisdiction of the state of Pennsylvania; and the consent of the state of Pennsylvania is hereby given to such transfer of title, only for the purposes and under the limitations hereinbefore mentioned.

Governor to appoint board of managers.

SECTION 2. Immediately after the execution of the conveyances provided for in the first section of this act, the governor shall appoint a board of fifteen managers of said Marine hospital at Erie, five of whom shall be appointed from its present board of managers, who shall have all the powers and perform all the duties prescribed in the act incorporating said Marine hospital, and whose duty it shall be to faithfully carry out the purposes of said act of incorporation: *Provided*, That the assent of a majority of said managers shall be essential to the validity of any act done by them.

Term of office.

SECTION 3. The term of office of said managers shall be the same provided in the eighth section of the act of incorporation of said Marine hospital, and all vacancies shall be filled by appointment by the governor; and the individual subscribers to said Marine hospital shall at all times be entitled to a representation of five members of the board of managers, to be appointed by the governor as aforesaid: *Provided*, That unless the board of managers of said Marine hospital shall within fifteen days after the approval of this act signify their acceptance of the same, in writing, to the attorney general, accompanied with conveyances of the property hereinbefore mentioned, then this act shall be invalid and of no effect.

Vacancies.

Individual subscribers entitled to five members.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 668.

A Further Supplement

To the charter of the city of Reading.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of section seventeenth of the revised charter of the city of Reading, passed April twenty-sixth, one thousand eight hundred and sixty-four, fixing the meetings of the city councils on the second and last Saturdays of every month in each year, be and is hereby repealed; and that on and after the passage of this act the said councils of the city of Reading shall meet on the second and last Mondays of every month in each year; and that the said councils shall have the privilege of changing their times of meeting, by a joint resolution of both branches of said city council, at any time hereafter: *Provided however*, That said times of meeting shall not be changed more than once during any one year.

Meetings of council.

Councils may change.

Proviso.

SECTION 2. That the court of quarter sessions of the peace, in and for the county of Berks, shall have the authority to confirm, in whole or in part, the report of viewers appointed to open streets under the topographical survey of said city of Reading.

Quarter sessions court may confirm report of viewers.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 669.

An Act

To incorporate the Merchants' Warehousing Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jesse Fitzgerald, Joshua Raybold, John W. Taber, S. Warren Young, Thomas Brown, William M'Aleer and their associates, and such persons as shall become shareholders therein, are hereby constituted a body corporate and politic, by the name of the Merchants' Warehousing Company, and by said name they and their successors shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts whatever, and also of contracting and being contracted with relative to the business and objects of the said corporation, as hereinafter declared, and may have a common seal, with power to change and alter the same at pleasure.

Name.
Perpetual succession.

Powers and privileges.

Seal.

SECTION 2. The capital stock of the said company shall consist of ten thousand shares of stock of the par value one

Capital.

hundred dollars each; and the corporators, or a majority of them, named in the first section of this act, shall have power to procure subscribers thereto; and when not less than one thousand shares shall have been subscribed, and twenty-five per centum thereon paid in, the shareholders shall elect five directors, to serve until the next annual election, or until their successors shall be duly elected and qualified; and when the sum of fifty thousand dollars shall have been paid in they may commence active business operations; the directors of said company shall have power to call in the capital of said company when and as they may see fit, and also to make and to establish such by-laws for their government as may be necessary and not inconsistent with this act, or with the constitution of the United States or of the state of Pennsylvania.

When to commence business.

By-laws.

Business.

SECTION 3. That the said company is hereby authorized to receive, for warehousing, safe-keeping or storage, goods, wares and merchandise of all kinds, grain, flour, produce, petroleum, whiskey or other property, subject to such charges for factorage, storage and insurance as may be agreed upon between them and the owners or depositors of such property; to take charge of and perform the duty of paying duties on bonding, receiving, landing, hauling and delivering all such goods, wares, merchandise or property deposited or intended to be deposited with said company; to insure, or cause to be insured, the owner or owners thereof against all loss by fire or water, whether in transit or on storage, for such an amount, time and price as may be agreed upon between the said owner or owners, depositors or agents, and the said company; and the said company shall also have power to advance money and credits upon any property in its custody, or upon bills of lading, receipts or certificates representing goods on storage elsewhere, or in transit from one portion of the United States to another, on such terms as may be agreed upon between the borrowers and said company; it shall be lawful for the said company to purchase, hold and convey real estate as follows:

May advance money on property.

May hold and convey real estate.

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it in good faith by way of security for debts previously contracted.

Third. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth. Such as it shall purchase at sales under judgments, decrees or mortgages held by the company, or shall purchase to secure debts due to said company.

It shall also have power to build upon or alter such real estate as may be necessary for carrying on the business of the company.

May mortgage real estate.

SECTION 4. It shall also be lawful for the said company to create and execute, under its corporate seal, a mortgage or mortgages to trustees, to be named by the board of directors, upon all or any of the real estate which may at any time be owned by the said corporation, which said mortgage or mortgages shall not exceed two-thirds of the assessed value of said real estate, and to issue coupon bonds, secured by such

May issue bonds

mortgage or mortgages, for such sums, and payable at such times as may be fixed by the board of directors of said corporation, and which said bonds shall pass by delivery from hand to hand without assignment, and the holder thereof shall be deemed and taken to be the rightful owner thereof.

SECTION 5. That any receipt or certificate issued by said company for any goods, wares, merchandise or property as aforesaid, stored or deposited with the said company, shall be negotiable and may be transferred by endorsement and delivery of said receipt or certificate; and any holder of said receipt or certificate to whom the same may be so endorsed or delivered, shall be deemed and taken to be the owner of said goods, wares, merchandise or property therein specified, either absolutely or as a pledge for any advances or credits on the same, as the case may be, subject, however, to all charges thereon; and no property so specified shall be delivered by said company except on the surrender and cancellation of said original receipt or certificate, or in case of the partial delivery or release thereof by the written assent of the holder of said receipt or certificate endorsed thereon: *Provided*, That all the receipts or certificates issued by the said company, which shall have the words "not negotiable," plainly written or printed on the face thereof, shall not be transferable by endorsement and delivery as aforesaid.

Receipts and certificates negotiable.

Proviso.

SECTION 6. That the office of the said company shall be in the city of Philadelphia; the directors shall be elected annually by the stockholders, on the third Tuesday of February, and they shall elect from their number a president and vice president, and may appoint a treasurer, secretary and such other officers, clerks and agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him, but no person shall be eligible as director who is not a stockholder to the amount of twenty shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock; the board of directors shall have power to make all by-laws necessary for conducting the business of the company.

Office. Directors.

Elections. Votes.

Quorum.

SECTION 7. The said company shall pay to the state treasurer, for the use of the state, a bonus of one-fourth of one per centum on the sum required to be paid in before active business, in four equal annual instalments, the first payment to be made in one year thereafter, and a like bonus on all subsequent payments on account of the capital stock of said company.

Bonus.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 670.

An Act

To establish the Soho and Ormsby steam ferry over the Monongahela river, in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Ferry authorized.

That A. M. Stotler, Edward Bailey and Barney Mahoney, their heirs and assigns, shall have the exclusive right to maintain a public steam ferry over the Monongahela river, from the foot of Brady street, at Soho, in the Fourteenth ward of the city of Pittsburg, in said county of Allegheny, to the foot of Twenty-second street, in the borough of East Birmingham, in said county, and the exclusive right and privilege to use the wharves or landings secured by them, and for that purpose may purchase or lease from individuals, city or borough authorities, the necessary landings; and in case they cannot agree with the owners of the same, as to the price or rent to be paid by them therefor, then to designate the location, and the court of common pleas, on petition of either party, shall appoint three viewers to estimate the damages to which the owner or owners thereof may be entitled.

Location.

Assessment of damages.

Requirements.

SECTION 2. That the persons named in the foregoing section, their heirs and assigns, shall keep the said ferry in good order and repair, for the transportation and passage of travelers and teams of all descriptions, and to keep a sufficient number of boats to avoid all unnecessary delays; and for keeping and maintaining said ferry and landings the persons aforesaid, their heirs and assigns, shall receive compensation, and be entitled to demand and receive the following tolls and charges, viz: For foot passengers, not exceeding five cents each; for each horse or mule and rider, ten cents; for each horse or mule and buggy, twenty cents; for each two horses or mules and buggy or carriage, twenty-five cents; for each horse or mule and wagon, twenty cents; for each two horses or mules and wagon, twenty-five cents, and for every additional horse or mule five cents; for each head of cattle, five cents; and for each head of sheep or hogs, three cents; the above rates to be the maximum rates of toll to be charged by them, and they to have authority to compound with individuals, families and firms, by the month or year, at such lower rates as may be agreed upon; and for all things not enumerated above, to receive the same tolls as are collected by other ferries of like character crossing said river.

Rates of toll.

Ferries prohibited within one thousand yards.

SECTION 3. That all persons other than those above named, their heirs or assigns, are hereby prohibited from using said river for the purposes of a public steam ferry, within a distance of one thousand yards above and below the landings mentioned in the first section of this act, under a penalty of

not less than twenty dollars per day, to be collected as fines Penalty. and penalties are now by law collectible, one-half to the prosecutor and one-half to the county.

SECTION 4. And further, that if any person or persons Penalties for obstructing. owning boats, barges or other craft on said river, or having the same in charge, shall wilfully or unnecessarily obstruct said river with said boats, barges or other craft, in such manner as will prevent or delay the regular running of said ferry boats, they shall be liable to pay to the said owners of said ferry, the sum of twenty dollars per day, or ten dollars for each half day or less that said ferry boats shall be so obstructed or delayed; said amount to be collected as debts of like amount are now by law collected.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 671.

An Act

To incorporate the Bell's Gap Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That B. F. Bell, John Halfpenny, J. M. Christy, John C. Gates, John Bell, F. M. Flanagan, G. W. Domer, John Brotherline, Commissioners. C. F. Sargent, Abraham Loudon, James L. Gwin, Joseph Dysart, Samuel Milliken, Edward H. Bell, John Riley, Edward Bell, he and the same are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Bell's Gap Railroad Company with authority to lay out and construct a railroad, with a Name. gauge not to exceed three feet nine inches and a quarter, connecting with the Pennsylvania railroad at Bell's Mill station, in Blair county, and to run up Bell's gap, to the public road Location of road. on the summit of the Allegheny mountain, near the Tub Spring, on a route recently surveyed and laid out by G. W. Domer, Esquire, civil engineer; thence to a point on Clearfield creek, at or near Fallen Timber, in Cambria county, not to exceed twenty miles in length; and from the summit aforesaid, at the public road near Tub Springs, to Galitzen, in the said

Provisions of
general laws ap-
plicable.

county of Cambria; and to have all the powers and privileges, and be subject to all the restrictions, terms and conditions which are authorized and imposed by an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

Capital.

SECTION 2. That the capital stock of the said company shall be one hundred thousand dollars, in shares of fifty dollars each, with power in the said company to increase the same from time to time as may be necessary to effect the objects of the company.

Authorized to
borrow money
and execute
mortgages.

SECTION 3. That said company is hereby authorized to borrow money, to an amount not exceeding that of their capital stock, upon the bonds of the company, and to secure the same by a mortgage or mortgages of all and any of the property of the company, and the franchises of the company, and such bonds to be with or without coupons, at such rate of interest, and the same to be disposed of on such terms as the board of directors of the company may determine; but no bond to be issued of a less denomination than fifty dollars; or as the company may elect to accept in part or in the whole in payment of stock, lands in the vicinity of the road, and to convey or mortgage the same for the purpose of building and stocking the road.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 672.

A Further Supplement

To a supplement to an act for the organization, discipline and regulation of the militia of the commonwealth of Pennsylvania, approved May fourth, Anno Domini one thousand eight hundred and sixty-four, and approved April seventh, one thousand eight hundred and seventy, relating to Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

County trea-
surer of Lancas-
ter to pay Lan-
caster Fencibles
certain moneys.

That the county treasurer of Lancaster county be authorized and required to pay, upon the order of the military board of said county, to each member of the Lancaster Fencibles, the sum of eight dollars per annum, for each year from the date

of the organization of said military company, on the twenty-eighth day of November, one thousand eight hundred and sixty-eight, to the date of the passage of this act, and annually thereafter at the end of company year, in November, on the order of said board, the sum of twelve dollars per annum shall be paid by said county treasurer to each member of each military organization of said county.

SECTION 2. If such fund, hereafter collected, shall not be sufficient to pay each member of such company or companies the sum of twelve dollars per annum, then the fund accruing annually shall be divided *pro rata* among the members of the various organizations, on the order of the military board.

SECTION 3. Said moneys shall be paid out of any military funds now in the county treasury, accumulated from any assessment and collection of military taxes or fines which may have been made prior to the passage of this act, or which shall be made hereafter.

SECTION 4. All laws or parts of laws, inconsistent with this act, are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 673.

An Act

Authorizing the burgess and town council of the borough of Allentown, in the county of Allegheny, to levy and collect a tax not exceeding fifteen mills on the assessed valuation for the year Anno Domini one thousand eight hundred and seventy-one, and annually thereafter, and changing the manner of collecting the taxes in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Allentown, in Allegheny county, are hereby authorized and empowered to levy and collect, for the year one thousand eight hundred and seventy-one, and annually thereafter, for borough purposes, any tax not exceeding fifteen mills on the dollar on the valuation as assessed for county purposes, as now is or may be provided by law.

Authorities of Allentown authorized to collect additional borough tax.

Abatement.

SECTION 2. That from and after the approval of this act all taxes payable to the said borough of Allentown shall be paid to the treasurer of said borough, and said treasurer shall make allowance to all payers of said taxes who shall pay the same in the year for which they are assessed, as follows, namely: For all taxes paid on or before the first day of July, a deduction of five per centum shall be made; if paid after the first day of July and on or before the first day of September, no deduction shall be made; and on all of said taxes paid after the first day of September, an addition of five per centum shall be added thereto and made payable thereon; and if any of said taxes remain unpaid after the thirty-first day of October, then another additional of five per centum shall be added thereto and collected thereon; said five per centum to be allowed for collecting all such as hereinafter provided.

Addition of five per cent. if unpaid after October 31st.

Duty of treasurer.

SECTION 3. It shall be the duty of the treasurer of the said borough to receive all aforesaid taxes and receipt for the same, and shall on the first day of or within the first week of August, annually, give notice by written or printed handbills, placed in not less than five of the most public places in said borough, to all persons who may have neglected or refused to pay their aforesaid taxes, requiring all such delinquents to pay the same on or before the first day of September following, otherwise five per centum thereon will be added thereto and made payable thereon: *Provided*, The same be paid on or before the thirty-first day of October following, and if the amount thereof be not paid at the last mentioned date, then an addition of five per centum will be added thereto and be collectible thereon; and it shall be the duty of the said treasurer to issue his warrant for collecting within five days after the aforesaid thirty-first day of October, directed to the constable of said borough, or to some other qualified voter thereof, having first obtained security for the performance of his duty, requiring said collector to collect all such sums as said delinquents may stand charged with, according to the general law for the collecting of all such taxes; and it shall be lawful for the treasurer of said borough to retain, as his compensation for services, three per centum on all moneys received and paid out by him in behalf of said borough.

Notice.

Proviso.

Compensation of treasurer.

Repeal.

SECTION 4. All acts or parts of acts inconsistent with this act be and the same are hereby repealed, so far as relates to the borough of Allentown, in the county of Allegheny.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 674.

An Act

To incorporate the Bird-in-Hand and Bridgeport Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Amos Bushong, Abijah D. Gyger, Benjamin B. Groff, Benjamin R. Witmer, B. D. Moyer, Levi R. Rhoads, Frank M. Masser, Mark P. Cooper, Samuel Delinger, John B. Landis, A. M. Miller, David Landis, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Bird-in-Hand and Bridgeport Turnpike Road Company, with power to construct a turnpike road from a point at or near the hotel of Levi R. Rhoads, Bird-in-Hand, Lancaster county, upon the old Philadelphia road, to a point at the Horseshoe road, the terminus of the Bridgeport and Horseshoe turnpike, and to change the bed of said old Philadelphia road where it may be expedient, subject to all the provisions and restrictions, and with all the powers and privileges contained in the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except that the said company may erect toll-gates upon the completion of said road, although the same shall not extend five miles in length.

SECTION 2. That the capital stock of said company shall consist of one thousand shares of twenty dollars per share: *Provided,* That said company may, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as may be deemed necessary to complete the road and carry out the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the said road within two years from the passage of this act, and complete the same within four years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 675.

An Act

To incorporate the Lehigh Live Stock Exchange Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Eli J. Saeger, Melchoir H. Horn, George Bower, Charles W. Cooper, Millin Hannenn, Jesse M. Line, Morgan F. Medler, Jeremiah Roth, William S. Young, Nelson Weiser, William Miller and John R. Schall, and such other persons as may be associated with them, their successors and assigns, shall be and are hereby created a body politic and corporate, by the name, style and title of the Lehigh Live Stock Exchange Company, with a capital stock of one hundred thousand dollars, to be divided into shares of fifty dollars each, with power to increase the same from time to time to an amount not exceeding five hundred thousand dollars.
- SECTION 2.** That the affairs of said company shall be managed by a board of seven directors, one of whom shall be president; said directors to be elected annually, at such times as may be prescribed by the by-laws of said company; and each share of stock paid in shall have one vote for each share of stock paid.
- SECTION 3.** That said company may hold lands in fee simple, or otherwise, within the commonwealth of Pennsylvania, or elsewhere, to such an amount as may be necessary for the transaction of the business of said corporation.
- SECTION 4.** That said corporation may have a common seal, with a right to alter the same, and by its corporate title shall be capable of suing or being sued in any court of law, and may make all needful rules and regulations and by-laws necessary for said corporation, and appoint all needful officers and agents, and do all such acts and things that may be deemed essential for the proper transaction of the business of the corporation: *Provided,* The same do not conflict with the constitution of this commonwealth and of the United States.
- SECTION 5.** That said company is hereby authorized to borrow money to an amount not exceeding one-half of its capital stock, upon the bonds of said company, secured by one or more mortgages upon so much of the corporate property and franchises as shall be deemed adequate security for the same, whenever the president and directors of said company shall deem such issue of bonds expedient for the interest of said company.
- SECTION 6.** That all transfers of stock in said company shall be entered in the stock books thereof, agreeably to the by-laws adopted by said company, and said books shall at all times be open to the inspection of any stockholder or stockholders of said company.
- Corporators.
- Name.
- Capital.
- Management.
- Elections.
- Votes.
- May hold lands.
- Seal.
- By-laws.
- Privileges.
- May borrow money.
- Transfers of stock.

SECTION 7. That the principal office for the transaction of the business of said company shall be located in the city of Allentown. Place of business.

SECTION 8. That this company pay into the treasury of the state of Pennsylvania a bonus of one-quarter of one per centum on the capital stock paid in, and upon any increase thereof, in four equal annual instalments, and such tax upon dividends as the law may direct. Bonus and taxes

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 676.

A Supplement

To an act to amend the road laws of Erie county, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the amount of road tax assessed upon any male person or persons in the township of Fairview, in the county of Erie, and which is payable in labor by the road laws of said county, shall amount to less than one day's labor, the road commissioners of said township shall assess such person or persons with one day's labor, to be worked upon the roads in said township, in the same manner that labor is performed on the public roads by the laws of said county; and in case any person or persons so assessed with one day's labor, refuses or neglects to perform said labor, after due notice by the path-master to perform such labor, such person or persons, so neglecting or refusing, shall be liable to pay the same in money, which one day's labor would cost, to be collected as the cash part of the road tax in said township is now by law collected; and if any such male person or persons, so assessed with one day's labor, shall own or possess and use a team of horses, mules or oxen and wagon, such person or persons shall be assessed with one day's labor for said team; and if such person or persons shall neglect or refuse to perform such day's labor with said team, after due notice given by the path-master, such person or persons shall be liable to pay in money the sum that one day's labor for such team

Taxes in Fairview township.

Commissioners may assess one day's labor.

If not performed, may collect value of one day's work.

would cost, to be collected as the cash part of the road tax is now collected in said township.

Commissioners
may appoint
collectors.

SECTION 2. That the road commissioners of Fairview township, in the county of Erie, are hereby authorized to appoint a collector to collect the money part of the road tax in said township, under a warrant issued by said road commissioners, which warrant shall state the amount which said commissioners have decided to raise in money; and the said collectors shall have the same powers as collectors of state and county taxes now have in the collection of state and county taxes, and shall collect and pay over said tax to the town treasurer, within three months after the receipt by him of said warrant; and the said road commissioners shall pay to said collector, for his compensation, a sum not exceeding five per centum of the amount of money so collected as road tax.

Duties of collec-
tors.

Repeal.

SECTION 3. That all acts or parts of acts which are inconsistent herewith be and the same are hereby repealed.

• JAMES H. WEBB,
Speaker of the House of Representatives.

• WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 677.

An Act

Regulating the election of burgess and town council of the borough of M'Keesport, fixing their terms of office and increasing their powers.

Town council.

Election of bur-
gess, &c.

Terms.

Vacancies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the town council of the borough of M'Keesport shall consist of six members, and at borough elections following the passage of this act, the burgess of said borough shall be elected for the period of one year, and the two members of the town council shall be elected for the period of one year, and two members for two years, and two members for three years, and at every annual election thereafter for borough officers in said borough, there shall be elected two members of town council, to serve for three years, and the burgess shall be elected every year, from the first election held under this act; and in case of vacancies occurring by death, resignation or otherwise, in the office of burgess, the council shall elect one of their number to discharge the duties thereof

until the next annual borough election, when a burgess shall be elected for a full term; and in case of a vacancy occurring by death, resignation or otherwise, in the council, the remaining members shall elect a qualified elector of the said borough to fill such vacancy until the next annual election, when a qualified elector of said borough shall be elected to fill the unexpired term of the member who caused the vacancy.

SECTION 2. That in addition to the powers and authority given to the burgess and town council of the borough of M'Keesport, by any special and general laws now existing, they shall have and are hereby invested with authority to enact and ordain laws, rules and regulations for the government of said borough and the conduct of citizens and sojourners, and impose penalties for the violation thereof; to elect and appoint a chief of police and subordinate policemen for said borough, to hold their office during the will and pleasure of the council, and to fix the salary and compensation they shall from time to time receive; to fix and enact a bill of fees and charges to be paid for all arrests made and services of such chief of police and subordinates, and to ordain when and by whom the same to be paid; to enforce the payment of all fines and costs which may be imposed upon any one violating the laws and ordinances of said borough; and the said council shall have power to authorize, by ordinance, the burgess, or such duly commissioned and acting justice of the peace of said borough as said council may designate to act for and in the absence of the burgess, to enforce the laws and regulations to preserve the peace and order of said borough, and to sentence the person violating the same to imprisonment in the jail or work-house of the county, for a period not exceeding forty (40) days, upon such terms as to release from imprisonment as the ordinances giving authority to sentence may prescribe; no subordinate policemen shall be appointed without the approbation of council.

SECTION 3. That the burgess, chief of police, subordinate policeman and justice of the peace appointed and approved as prescribed by this act, shall, in all proceedings in the courts of this commonwealth, be considered and held to be public officers; and arrests may be made by such chief of police and subordinate policeman for offences against the laws and ordinances of said borough to preserve the peace and good order thereof, without complaint or warrant, as in other cases of arrest of offenders against the laws of this commonwealth without complaint or warrant; such burgess, justice of the peace, chief of police and subordinates being liable, as other executive officers of this commonwealth, for any abuse of power granted by this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 678.

An Act

To authorize and require the county commissioners of Snyder county to erect a bridge over Middle creek, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Snyder county be and they are hereby authorized and required to cause a good and sufficient public bridge to be erected, at the expense of said county, over Middle creek, in said county, near the residence of George Drees, in Beaver township, at or near where the public road leading from Beavertown to Centreville crosses said creek; and that the said commissioners be directed to provide the means and cause said bridge to be erected as speedily as possible, so that the same shall be completed on or before the first day of January, Anno Domini one thousand eight hundred and seventy-two.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 679.

An Act

To repeal the first section of the act approved February fourth. one thousand eight hundred and sixty-nine, entitled "A supplement to an act incorporating the Marine hospital at Erie," and to indemnify any persons injured by such repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, entitled "A supplement to an act incorporating the Marine hospital at Erie," approved February fourth, one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

Portion of act of
February 4, 1869,
repealed.

Persons injured
may petition
courts.

SECTION 2. Any person or persons injured by this repeal shall have the right to present his or their petition to the

court of common pleas of Erie county, setting forth the manner and extent of his or their injury; whereupon the said court shall appoint three discreet and disinterested persons, to carefully examine the claims of such petitioners, and report to the said court whether said petitioners have suffered any injury from such repeal, and if so, in what manner and to what amount; which report the court shall confirm *nisi*, to become absolute if not excepted to or appealed from by either party within twenty days thereafter; and either the petitioners or the commonwealth shall have the right to except to or appeal from the said report to the court of common pleas of Erie county, within the said twenty days, in the same manner and under the same regulations that parties to a view for the assessment of damages against railroad companies now have.

Court to appoint three persons to examine and report.

Exceptions and appeals.

SECTION 3. The state treasurer shall pay to such claimants the amount of the award of viewers as above provided, when confirmed absolutely, or of the judgment obtained on appeal, upon proper vouchers, approved by the auditor general.

State treasurer to pay damages finally awarded.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 680.

An Act

Fixing the rate of compensation for the collection of militia tax in the counties of Cumberland and Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the treasurer of the counties of Cumberland and Franklin shall receive five per centum of the amount of militia tax collected by him in said county, as a compensation for the collection of the same.

Compensation to treasurers for collecting militia tax.

SECTION 2. That all laws inconsistent herewith are hereby repealed, so far as the same relates to the counties of Cumberland and Franklin.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 681.

An Act

Relating to the Titusville Printing Association, changing the manner of voting at elections thereof, and legalizing its organization.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Titusville Printing Association, at all meetings and elections hereafter to be held, shall be entitled to vote each in proportion to the amount of stock held by such stockholder.

Votes.

Organization
legalized.

SECTION 2. That the organization of said company, heretofore had under the act of April fourteenth, one thousand eight hundred and sixty-eight, is hereby declared legal and valid.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W GEARY.

No. 682.

A Supplement

To the several acts relating to the borough of Uniontown, Fayette county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough elections of the borough of Uniontown, Fayette county, shall hereafter be held at the time fixed by general laws for the election of borough and township officers throughout the commonwealth, and shall include the selection of all officers, to be chosen separately and exclusively by the electors of said borough, or of the respective wards thereof.

Borough elec-
tions.Officers to be
chosen at next
election.

SECTION 2. That the next election in said borough, and annually thereafter, there shall be chosen by vote at large in said borough, six members of council, two assessors of taxes and two constables; and the said councilmen, assessors and

constables shall be elected under the provisions and in the manner prescribed by the fourth section of the act of March fourth, one thousand eight hundred and seventy, entitled "An Act to define the limits and to organize the town of Bloomsburg;" and vacancies in said offices shall be filled, pursuant to the provisions of the fifth section of the same act, by the court of quarter sessions of Fayette county.

Vacancies.

SECTION 3. At the next election, and annually thereafter, the voters of said borough shall also elect at large two school directors, who shall hold their offices for three year terms; and at said next election, and every third year thereafter, there shall be elected three auditors, who shall annually settle and adjust all the accounts of said borough; and the said school directors and auditors shall be voted for and chosen in the same manner as the officers mentioned in the second section of this act.

Two school directors to be elected annually.

Three auditors elected triennially.

SECTION 4. All unexpired terms of members of town council of said borough, at the time of the first election under this act, shall cease and determine upon the holding of said election, and upon the members of the new council being duly qualified; and all acts and parts of acts inconsistent herewith are hereby repealed.

Unexpired terms to cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

A. H. DILL,

Speaker of the Senate *pro tem*.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 683.

An Act

To repeal an act, entitled "An Act relative to the pay of supervisors and auditors in certain townships in the county of Lawrence," approved April the second, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to the pay of auditors and supervisors in certain townships in the county of Lawrence," approved the second day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as it relates to Shenango township, in

said county ; and the accounts of said auditors and supervisors shall be settled as if said act had not been passed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domni one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 684.

A Supplement

To an act, entitled "An Act to reduce the expenses of collecting state and county taxes in the county of Venango, and for other purposes," approved the third day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Repeal of portion of section second of former act.

That so much of section second of the act to which this is a supplement, as provides that the treasurer of the said county shall advertise certain times and places at which to meet the tax-payers of the several townships and boroughs, for the purpose of receiving state and county taxes, and requiring the said treasurer to attend at least one day in each township and borough in said county for the purpose aforesaid, be and the same is hereby repealed ; and it shall be the duty of the treasurer of said county, upon receiving the duplicate from the commissioners, as provided by section first of the act to which this is a supplement, to cause a duplicate of each township, borough and ward to be made out in a convenient form, and to place it in the hands of the collector of the same for collection, on or before the first day of June, one thousand eight hundred and seventy-one, and in each succeeding year, and he shall issue his warrant to the several collectors in the manner as provided in section third of the act to which this is a supplement.

Treasurer to make duplicates and deliver to collectors.

Abatement.

SECTION 2. That upon all payments of county and state taxes made prior to the first day of July, in the year one thousand eight hundred and seventy-one, and in each succeeding year, there shall be allowed an abatement of five per centum ; and the collector of each township, borough or ward, upon receiving the duplicate from the county treasurer in the manner provided in section first, shall within ten days thereafter give notice by at least five written or printed notices, conspicuously posted in the most public places in his township, borough or ward, that the duplicate has been placed in his

hands for collection, and that such abatement of five per centum will be made by him upon all state and county taxes paid as aforesaid; and from and after the first day of July, in the year one thousand eight hundred and seventy-one, and each succeeding year, it shall be the duty of the several collectors, after having given ten days' notice to each delinquent taxable of the amount with which he, she or they stand charged, to levy and collect the same by distress and sale of the goods and chattels of such delinquent person, in the manner prescribed in the third section of the act to which this is a supplement.

Delinquent tax-payers.

SECTION 3. That it shall be the duty of the collector of each township, borough or ward to enter in his duplicate the date of each payment of state and county tax, and by whom paid, and to make return of all moneys received prior to July first as aforesaid, together with his duplicate, on or before the fifth day of July in each year, and he shall pay the whole amount so collected, after deducting his percentage for collecting, to the county treasurer, who shall cause the entries made in the books of the collector to be copied in the general tax book.

Duties of collectors.

SECTION 4. That the act of assembly, approved February twenty-third, one thousand eight hundred and fifty-eight, entitled "A supplement to an act relative to the sale of lands for the non-payment of taxes," be and the same is hereby repealed as to the county of Venango; and that hereafter the several collectors shall make their returns and settle their accounts in full on or before the thirty-first day of December of each year.

Repeal.

SECTION 5. That so much of any law as is hereby altered or supplied, is hereby repealed, so far as relates to the county of Venango.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 635.

An Act

To incorporate the Bellefonte and Pleasant Gap Turnpike Company, in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That William P. Wilson, Robert Valentine, J. D. Shugert, John H. Orvis, John M. Furey, J. G. Larrimer and Abraham Valentine, or any five of them, be and they are hereby appointed commissioners, to open books and receive subscriptions and organize a company, by the name, style and title of the Bellefonte and Pleasant Gap Turnpike Company.
Name.	
May construct turnpike road.	SECTION 2. That said company shall have power to locate and construct a turnpike road from Bellefonte to Pleasant Gap, in the county of Centre.
Capital.	SECTION 3. That the capital stock of said company shall consist of two hundred shares, at fifty dollars per share.
President and managers may establish and regulate tolls.	SECTION 4. That the president and managers of the said company shall have power to establish and regulate the rates of toll, not exceeding two cents per mile for each horse, mule or working cattle traveling over the same, and for cattle, horses, sheep and swine in droves such rates of toll as are allowed by the general turnpike laws; that all funerals and funeral processions, and persons passing from and to places of public worship, and person passing from one part of his or her farm to any other part of the same, shall be exempt from the payment of toll; and said company shall erect toll gates whenever one-half of the road shall have been completed, and for each fraction of a cent in the computation of toll they may receive one cent; that said company shall be entitled to toll from persons traveling their road in proportion to the distance traveled, although they shall not pass through one of their toll-gates, and may take such means to collect the toll as they deem proper, and exercise all the powers and be subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and supplements thereto.
Persons exempt	
May erect toll-gates when one-half the road is completed.	
Subject to general laws.	

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 686.

An Act.

Extending the limits of the income of the trustees of the University of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the trustees of the University of Pennsylvania are hereby authorized to acquire and hold real and personal estate for the purposes of the said university, the clear annual value of which shall not exceed the sum of thirty thousand dollars, in addition to that which they now hold.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 687.

An Act

To incorporate the Lehigh Car Manufacturing Company of Stemton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George H. Stem, William Stem, Reuben Kemmerer, Frederick Lerch, S. E. Stem, J. W. Taylor and Hiram H. Fisher, and such other persons as may associate with them, their successors and assigns, be and they are hereby created a corporation and body politic, by the name, style and title of the Lehigh Car Manufacturing Company, and by that name and title shall have succession, and shall be capable in law to sue and be sued, and have a common seal, with the right to hold land by lease or fee simple, in the state of Pennsylvania, not exceeding one thousand acres at any one time; and the business of this corporation shall be the manufacturing of cars, locomotives, vehicles of every kind and description, all and every kind of manufacturing, agricultural, mechanical and mining implements, together with everything that may be used or be necessary in the building, construction, or manufacturing thereof.

Corporators.

Name.

Seal.

May hold lands.

Business.

SECTION 2. The capital stock of the said company shall be one hundred thousand dollars, divided into shares of fifty dollars each; and the said corporation may increase the same, by a vote of the board of directors, to any sum not exceeding two hundred thousand dollars; and it shall be lawful for said company to issue bonds not exceeding one-half of the amount of its capital stock, bearing interest not exceeding seven per centum per annum, and secure the payment of the same by mortgage on its real estate, personal property and

Capital.

May issue bonds

franchises; but no bond shall be issued for a less sum than one hundred dollars.

Management.

SECTION 3. The property and operations of this company shall be managed and conducted by five directors, being stockholders; the president shall be appointed by the directors, from their own number; and the directors shall have power to appoint such other officers and agents as may be deemed necessary, and require such security from them as to said directors may seem proper, and fill vacancies which may occur in their body, and make by-laws not inconsistent with the laws of the state or the United States.

Officers and agents to give bonds.

Annual election

SECTION 4. The annual election of directors shall take place on the second Tuesday of January in each year, commencing on the second Tuesday of January, one thousand eight hundred and seventy-two, at some place to be designated by the board of directors; and all elections and stockholders' meetings, each share shall be entitled to one vote; such notice of meetings and elections shall be given as the by-laws may require, or the directors order; but if from any cause no election shall be held, the then acting directors shall continue in office until their successors are elected.

Votes.

First directors.

SECTION 5. The above mentioned George H. Stem, William Stem, Reuben Kemmerer, Hiram H. Fisher and S. E. Stem, shall be the first directors, to organize and manage the affairs of said company, and shall continue in office until their successors are duly elected.

Individual liability for debts due workmen, mechanics, &c.

SECTION 6. The stockholders of said company shall be jointly and severally liable, in their individual capacities, for debts due mechanics, workmen and laborers employed by said company, to be sued for and collected as is provided in the thirteenth, fourteenth and fifteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three; and the said company shall pay into the treasury of the state a bonus of one-quarter of one per centum upon the amount of the capital stock, payable in two instalments, the first whereof shall be paid immediately, and the other within one year after the said company shall have organized.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 688.

An Act

To repeal an act relative to the coroners and sheriffs of the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same,* That the first section of an act, entitled "An Act relative to the coroners and sheriffs of the county of Armstrong," approved the first day of May, one thousand eight hundred and sixty-one, be and the same is hereby repealed: *Provided,* That the county of Armstrong shall at no time pay a larger fee than twenty-five dollars for a post mortem examination by a regular surgeon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 689.

An Act

Vacating portions of certain streets and alleys in the village of Columbia, Washington county, and changing the name thereof to West Columbia.

WHEREAS, Charles De Hass, of said county, laid out in eighteen hundred and fifteen, the village of Columbia, on the Monongahela river, in Washington county; Preamble

And whereas, The said Charles De Hass originally designed to retain for farming purposes that portion of said town plot situated westwardly of Market street, and northwardly of Third street, and has been so used and for no other purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Walnut, Gerry and Fairview streets and

Certain streets
in village of
Columbia va-
cated.

Brown alley, running from Third street to Lawrence alley, and so much of Fourth street and Lawrence alley, running from Market street to Fairview street, and also that portion of Pike alley, running from Brown alley to Fairview street, in said village of Columbia, be and the same are hereby vacated, and that the land embraced or covered by said streets and alleys shall revert to the said Charles De Hass, the original proprietor.

Name changed.

SECTION 2. That from and after the passage of this act the village of Columbia, in the county of Washington, shall be known by the name of West Columbia, and it is hereby so named.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 690.

An Act

To pay a gratuity and pension to Adolphus Hall, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, Adolphus Hall, a soldier of the war of one thousand eight hundred and twelve, a citizen of Pennsylvania, over seventy-five years of age, in necessitous circumstances, and not worth five hundred dollars, served in said war by enlistment:

And whereas, By reason of his necessitous circumstances, and by reason of the length of time since service in said war, he cannot now procure the testimony of the witness required by the act of March thirtieth, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and he is hereby authorized and required to pay to Adolphus Hall, of Perry county, a soldier of the war of one thousand eight hundred and twelve, a gratuity of forty dollars, and an annuity of forty dollars per annum, payable semi-annually, commencing on the first day of January, one thousand eight hundred and seventy-one: *Provided*, That if said pensioner hereafter receives a pension

from the United States government, payment from the state government under this act shall cease.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 691.

An Act

To enable the shareholders of the Stowers' Pork Packing and Provision Company to purchase and hold stock purchased from each other.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the shareholders of the Stowers' Pork Packing and Provision Company, located at Scranton, Luzerne county, Pennsylvania, shall have the right to purchase stock from each other, and hold the same without limitation as to amount: *Provided,* That each shareholder shall be entitled to but one vote for every five thousand dollars of paid up shares, owned and standing upon the books in the name of any one shareholder: *And provided further,* That shares may be thus purchased without first offering the same to the board of directors.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 692.

A Further Supplement

To an act, entitled "An Act revising the charter of the municipal corporation of the city of Reading," passed April twenty-sixth, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Reading shall have exclusive authority within the said city, and to any distance within one mile of the limits of the city, to secure the inhabitants thereof from contagious, infectious or other dangerous diseases; to establish, erect and regulate hospitals in or near said city; to provide for and enforce the removal of patients to said hospitals in or near said city; for the appointment and organization of a board of health for said city; and invest with the authority necessary for the prompt and efficient performance of its duties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 693.

An Act

To incorporate the North Reading Market House Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George D. Stitzel, William R. McIlvain, Jacob S. Livingood, Samuel Nyce, Joseph L. Stichter, Samuel Weitzel, James F. Raber, E. P. Boas, F. G. Boas, Daniel Ermentrout, William M. Hiester, William H. Livingood, Eli Bickel, Eli Fox, Amos B. Wanner, or any five of them, and their associates, and all persons who may hereafter be holders of the stock hereinafter mentioned, are hereby created a body cor-

porate, under the name of the North Reading Market House Company, to have perpetual succession. to sue and be sued, to have a common seal, the same to break, renew and alter at pleasure, to purchase and hold such real and personal estate, either by grant, conveyance, in fee simple, gift, devise or lease, bargain, sale or otherwise, as may be necessary for the purposes of the corporation, and to sell, mortgage or lease the same as they may deem expedient.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain a suitable building, with stalls, in the city of Reading, north of Penn street and west of Eighth street, to be appropriated and used as a public market house, for the sale of meats, vegetables and all other kinds of victuals and provisions whatever, and such other articles as the board of directors may deem proper; and the said building and stalls shall be leased or disposed of in such manner and on such conditions as the directors shall determine: *Provided*, That the corporation may appropriate a portion, or portions, of any building by them erected as a hall, or halls, for concerts, exhibitions, public or other meetings.

SECTION 3. That the capital stock of said corporation shall be a sum not exceeding fifty thousand dollars, divided into one thousand shares of fifty dollars each, certificates of which shall be issued; and the stock shall be transferable on the books of the corporation; and all shares of stock shall be paid for or forfeited for non-payment, in such manner and at such times as the directors shall determine by their by-laws: *Provided*, That said corporation shall have the privilege of increasing the said capital stock to a sum not exceeding seventy-five thousand dollars, should a majority of votes be cast in favor of such increase by the stockholders, at any special meeting by them hereafter called for that purpose, of the time and place of which meeting, and the object for which it shall be called, notice shall be given by publication, for four successive weeks, in two weekly or daily papers published in the city of Reading; said additional stock to be issued transferable, to be paid for or forfeited for non-payment in like manner as aforesaid.

SECTION 4. That the said corporation be authorized to borrow money to an amount not exceeding two-thirds of their capital stock, and to issue bonds or certificates of loan, with or without coupons attached, for the payment of the same, in such amounts, not less than one hundred dollars, and payable at such time or times, and at such rate of interest, not exceeding eight per centum per annum, and to sell the same at such discount as the said corporation may determine; and it shall be lawful for said corporation to secure the payment of said bonds or certificates of loan by a mortgage or mortgages on their corporate property, executed in due form, in the corporate name of said company, and under its corporate seal, to trustees to be named therein.

SECTION 5. That the government and control of the said corporation, and the management of its affairs and property, shall be vested in a board of not less than five nor more than nine directors, a majority of whom shall constitute a quorum

Name.
Perpetual suc-
cession.

Powers an
privileges.

Object.

May appro-
priate part of
building for
halls.

Capital.

Stock transfera-
ble.

May increase
capital.

May borrow
money and
issue bonds.

Rate of interest.

May execute
mortgage

Management.

Number of di-
rectors

Quorum.

for the transaction of business, who shall be elected by a majority of the votes of the stockholders, annually, at such time and place, and in such manner, and upon such public notice to stockholders as the said corporation in its by-laws may provide; said directors shall choose from among their number a president and a secretary, who may also be the treasurer of the company, and may require of them bonds for the faithful performance of their duties; the said board of directors shall continue in office until the election of their successors, and shall fill all vacancies that may occur in their body: *Provided*, That should not such election be held as provided for in said by-laws, the corporation shall not for that reason be dissolved, but such election shall take place as soon thereafter as may be convenient, fifteen days' public notice thereof being given by publication in one daily or weekly paper printed in Reading aforesaid; and special meetings may be held as provided by the by-laws; and the stockholders, by a majority of votes of the corporation may, in general meeting, if they see proper, enact by-laws, or alter those made by the directors, for the government of the corporation and its officers; and in the election of directors, and in the decision of all questions brought before them in the meetings of the stockholders, those present in person or by proxy, not in arrears on any instalment due, shall be entitled to one vote for each share of stock held by them.

Election.

Officers to give bond.

Proviso.

Corporators to certify to governor the subscription of stock required.

Letters patent.

Regulations for receiving subscriptions.

Notice.

SECTION 6. That the persons, or any five of them, named in the first section of this act, upon certifying to the governor, under their hands and seals, that five hundred shares of stock have been subscribed for, and five dollars paid on each share of the same, at least three of whom shall make oath or affirmation that the facts set forth in said certificate are just and true, that then in that case the governor shall thereupon, by letters patent under his hand and the seal of the state, create and erect the subscribers and stockholders into one body politic and corporate, in deed and in law, under the name and title of the North Reading Market House Company.

SECTION 7. That the opening of books and the receiving of subscriptions to the capital stock of said company shall be regulated in such manner as the majority of the persons named in the first section of this act may determine; and the first election for directors shall be held at such time and place as the said persons shall agree upon, after receiving the charter from the governor of the commonwealth: *Provided*, That at least one week's public notice shall be given, in at least one daily or weekly newspaper published in the city of Reading, of the time and place of receiving such subscriptions, and of the time and place of such election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 694.

An Act

Relating to notaries public in the county of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of any law of this commonwealth as prohibits a clerk or teller in any bank or banking institution from holding or exercising the office of notary public, be and the same is hereby repealed, so far as the same relates to the First National Bank of Lansdale, in the county of Montgomery.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 695.

A Supplement

To an act to incorporate the Safe Deposit Bank of Pottsville, Schuylkill county, approved the eighteenth day of February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the trusts mentioned in the act to which this is a supplement, the Safe Deposit Bank of Pottsville is hereby authorized to accept and execute all such trusts of every description, not inconsistent with the laws of this state, as may be committed to it by any person or persons whatever, or by any corporation or register of wills, or by any court of record of this or any other state or of the United States; and the said corporation is also hereby authorized and empowered to act as executor, administrator, guardian, trustee, agent or committee of any person or estate, either by direct appointment from such person, or by appointment from any court of this or any other state or of the United States; and also to act as the agent for the purpose of issuing or countersigning the certificates of stock, bonds or other obligation of any cor-

Authorized to accept every description of trusts.

May be executor, guardian, agent, &c.

poration, association, municipality, state or public authority, and to receive and manage any sinking fund therefor, on such terms as may be agreed upon.

Court appointing company trustee, &c., may appoint person to investigate.

SECTION 2. That whenever any court shall appoint the Safe Deposit Bank of Pottsville aforesaid a receiver, assignee, guardian, executor, administrator, committee or other trustee, or shall order the deposits of any moneys with said corporation, such court, if it deems it necessary, may from time to time appoint a suitable person to investigate the affairs and managements of the said corporation, who shall report to such court the manner in which its investments are made, and the security afforded to those by or for whom its engagements are held, or the court may, if deemed necessary, examine the officers of said corporation, under oath or affirmation, as to the security aforesaid.

Capital stock taken as security.

SECTION 3. That whenever the said corporation shall receive and accept the office or appointment of receiver, assignee, executor, administrator, guardian, committee or other trustee or depository as aforesaid, from any person or persons, corporation, register of wills or court, or shall undertake any of the trusts or offices authorized by the act to which this is a supplement, or authorized to be undertaken by this act, it shall not be required to give any security; but the capital stock of said corporation as paid in, and not being less than fifty per centum thereof, shall be taken and considered as the only security required by law for the faithful performance of its duties as aforesaid, together with its property and effects, be liable in case of any default whatever.

To be liable in case of default.

Trustees may deposit trust property.

SECTION 4. That any executor, administrator, guardian or other trustee having the custody or control of any bonds, stocks, securities or other valuables belonging to others, shall be authorized to deposit the same for safe keeping with said corporation: *Provided*, That nothing in this section shall impair the liabilities of any executor, administrator or other trustee.

Liability not impaired.

Corporation may become surety.

SECTION 5. That it shall be lawful for the said corporation, and it is hereby authorized to become sole surety, in any case where by law one or more sureties may be required for the faithful performance of any trust or office, and in every such case the capital stock of said corporation shall be taken and considered as sufficient security therefor; but in such case the officers and affairs of said corporation shall be subject to examination, and its property and effects liable as aforesaid; and it shall be lawful for said corporation to stipulate and provide for indemnity from the person or persons or parties for whom it shall so become responsible, and to enforce any contract, pledge or other security made or given for that purpose, as may be equitable or just.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 696.

An Act

Authorizing the auditor general to examine and settle the claims of
J. H. T. Jackson.

WHEREAS, J. H. T. Jackson did, during the months of July and August, eighteen hundred and sixty-two, as second lieutenant, under competent authority, recruit some twenty-five men, who thereafter were incorporated with company G, One Hundred and Twenty-first P. V's :

And whereas, The said Jackson, immediately after forming the said command, with his men, and prior to commission and muster, was captured by the enemy at the battle of Antietam, Maryland, and held as a prisoner of war for a period of eighteen months, part of the time in irons, when he made his escape :

And whereas, The general government, owing to the fact of his not having been duly commissioned and mustered at the date of his capture, refuses to settle his claims, or allow him pay in any capacity whatsoever, his name not appearing on the rolls ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the auditor general be and is hereby authorized and required to examine the claim of the said J. H. T. Jackson, and if the sum be found correct, to allow him pay as a second lieutenant of infantry from the date he actually commenced recruiting until he made his escape into the Union lines, at Knoxville, Tennessee, and to draw his warrant on the state treasurer for the amount so allowed, which same shall be paid out of any moneys not otherwise appropriated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 697.

A Supplement

To an act to confer on certain associations of the citizens of this commonwealth the powers and immunities of corporations and bodies politic in law, and to confirm charters heretofore granted, approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty-nine, so far as relates to the county of Huntingdon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

May provide for payment of premium in monthly instalments.

That it shall be lawful for any association heretofore incorporated, or which may be hereafter incorporated under the act to which this is a supplement, to provide in its constitution or by-laws that the premium for the preference or priority of loan shall be payable by monthly instalments; and such instalments shall be collectible in the same manner that other charges against stock in such association are now collectible.

May limit premium and deduct in advance.

SECTION 2. That it shall be lawful for any such associations to limit the amount of premium on loans, and to deduct such premium or premiums in advance; and in case two or more persons bid the maximum premium on a share or shares, it shall and may be lawful for such bidders to determine by lot who shall receive the loan bid for: *Provided*, That the provisions of this act shall only apply to the county of Huntingdon.

Applicable only to Huntingdon county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 698.

An Act

In relation to public roads in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of the acts of assembly authorizing and directing viewers, re-viewers and subsequent viewers of public roads in the county of Chester, in locating such roads, to assess the damages, if any, which may arise from opening the same, to the owners of lands through which the same may pass, be and the same are hereby repealed: *Provided*, That it shall be the duty of the said viewers, re-viewers and subsequent viewers to endeavor to procure from the owners of lands over which such roads shall pass, releases in writing of all claims to damages which may arise from opening the same, which releases they shall return to the court with their report, to be filed and entered on record.

Repeat of acts authorizing assessment of damages.

Duty of viewers.

SECTION 2. The damages sustained by the opening of public roads in said county shall hereafter be assessed, in accordance with the provisions of the seventh, eighth and ninth sections of the act of assembly, passed the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six, after the said roads shall have been opened: *Provided*, That the number of viewers appointed by the court of quarter sessions of said county to assess damages shall be three, all of whom shall view and a majority decide.

How damages shall be assessed

Number of viewers.

SECTION 3. That in addition to the compensation now paid to viewers, re-viewers and subsequent viewers of roads in said county, they shall each receive mileage at the rate of six cents per mile for each mile traveled by them in going to and returning from the locality where their services are required, to be paid by the parties calling them out.

Viewers to receive mileage.

SECTION 4. That the viewers appointed to assess road damages shall receive two dollars per day each for their services, and mileage, as directed in the preceding section with respect to viewers, re-viewers and subsequent viewers of public roads, to be paid by the petitioners for the assessment of such damages.

Compensation.

To be paid by petitioners.

SECTION 5. That in all cases of views for the assessment of damages, the court, on petition either of the owners of lands through which the said road may pass, or of the commissioners of said county, shall appoint juries of review and re-review for the same purpose, in the same manner as is provided in the case of the laying out roads.

Court may appoint juries of review, &c.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 699.

An Act

To incorporate Gouldsborough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Gouldsborough,
incorporated.

Boundaries.

That the village of Gouldsborough, in Luzerne county, comprising the territory bounded as follows; that is to say, bounded on the north-east by Pond creek, on the south by the Lehigh river, on the south-west by Sand Springs run, and on the west by the two tracts of land surveyed in the warrantee names of Charles French and Joseph Butcher, be and the same is hereby erected and incorporated into a separate borough, under the name and style of Gouldsborough.

Time and place
for first borough
election.

Election officers

Election of bor-
ough officers,
&c., authorized.Subject to gen-
eral laws.

School district.

SECTION 2. The first election in said borough shall be held at the public house of James M'Asy, on the first Monday of May next, between the hours of ten o'clock in the forenoon and six o'clock in the afternoon, by a judge and two inspectors, to be elected by the qualified voters of said borough present at the opening of said election, when the qualified voters of said borough shall elect one citizen of said borough for bur-
gess, and five citizens to be a town council, and other usual borough, school and election officers, and justices of the peace, as provided by law, who shall hold their respective offices until their successors are duly elected and qualified under the general laws of the commonwealth relating thereto; and the election of borough officers shall be held at the place afore-
said on the first Monday of May annually thereafter; and said borough shall in all other respects be subject to all the restrictions and entitled to all the rights and privileges im-
posed and conferred by the general laws of this commonwealth regulating boroughs.

SECTION 3. The said borough shall constitute a separate school district under the school laws of this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thou-
sand eight hundred and seventy-one.

JNO. W. GEARY

No. 700.

A Further Supplement

To an act to erect Norristown, in Montgomery county, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the borough of Norristown, in Montgomery county, shall be divided into five wards, in manner following, to wit: So much of said borough as shall be included and contained within the following described boundaries: Beginning at a point in a direct line with the middle of Hickey street; thence north-easterly along said line, and continuing along the middle of Hickey street to Washington street; thence south-easterly along the middle of Washington street to Cherry street; thence north-easterly along the middle of Cherry street to Egypt street; thence north-easterly along the middle of Egypt street to Barbadoes street; thence north-easterly along the middle of Barbadoes street to Marshall street; thence north-westerly along the middle of Marshall street to Stony creek; thence north-easterly and north along said Stony creek to the north-westerly boundary of said borough; thence south-westerly along the north-western boundary thereof to the river Schuylkill, and thence south-easterly along side river Schuylkill to the place of beginning, shall be one ward, to be called the First ward. So much of said borough as shall be included and contained within the following described boundaries: Beginning at the river Schuylkill, in the middle of Swede street; thence north-easterly along the middle of Swede street, and continuing along the middle of the old state road, or Markley street, to the north-east boundary of said borough; thence north-westerly along the north-east boundary thereof to the north-east boundary of said borough; thence south-westerly along the north-west boundary thereof to Stony creek; thence south and south-westerly along said Stony creek to Marshall street; thence south-easterly along the middle of Marshall street to Barbadoes street; thence south-westerly along the middle of Barbadoes street to Egypt street; thence south-easterly along the middle of Egypt street to Cherry street; thence south-westerly along the middle of Cherry street to Washington street; thence north-westerly along the middle of Washington street to Hickey street; thence south-westerly along the middle of Hickey street, and continuing on in a straight line to the river Schuylkill, to the place of beginning, shall be one ward, to be called the Second ward. So much of said borough as shall be included and contained within the following described boundaries: Beginning at the river Schuylkill, in the middle of Swede street; thence north-easterly along the middle of Swede street, and continuing along the

Borough divided into five wards.

First ward.

Second ward.

Third ward.

middle of the old state road, or Markley street, to the north-east boundary of said borough; thence south-easterly along the north-east boundary thereof to the De Kalb street road, or De Kalb street; thence south-westerly along the middle of the De Kalb street road, and along the middle of De Kalb street, to the river Schuylkill, and thence north-westerly along the river Schuylkill to the place of beginning, shall be one ward, to be called the Third ward. So much of said borough as shall be included and contained within the following described boundaries: Beginning at the river Schuylkill, in the middle of De Kalb street; thence north-easterly along the middle of De Kalb street, and along the middle of the De Kalb street road, to the north-east boundary of said borough; thence south-easterly along the north-east boundary thereof to Arch street; thence south-westerly along the middle of Arch street to Egypt street; thence south-easterly along the middle of Egypt street to Sandy or Saw Mill run; thence southerly along said Sandy or Saw Mill run to the river Schuylkill, and thence north-westerly along the river Schuylkill to the place of beginning, shall be one ward, to be called the Fourth ward; and so much of said borough as shall be included and contained within the following described boundaries: Beginning at the junction of Sandy or Saw Mill run and the river Schuylkill; thence northerly along said Sandy or Saw Mill run to Egypt street; thence north-westerly along the middle of Egypt street to Arch street; thence north-easterly along the middle of Arch street to the north-east boundary of said borough; thence south-easterly along the north-east boundary thereof to the south-east boundary of said borough; thence south-westerly along the south-east boundary thereof to the river Schuylkill, and thence north-westerly along the river Schuylkill to the place of beginning, shall be one ward, to be called the Fifth ward.

Fourth ward.

Fifth ward.

Places for holding elections.

SECTION 2. That the general, special, borough and ward elections, in the said several wards of said borough, shall be held at the following named places, to wit: In the First ward, at the public house of Jesse Gable, known as the Farmers' and Mechanics' hotel; in the Second ward, at the public house of Jacob Quillman, known as the Rambo house; in the Third ward, at the public house of Daniel R. Brower's heirs, known as the Montgomery house; in the Fourth ward, at the public house of Oliver Wambold, known as the Exchange hotel; and in the Fifth ward, at the office of John C. Snyder, justice of the peace.

Election of council.

SECTION 3. That the aggregate number of the town council of said borough shall remain the same as now fixed by existing laws, viz: Fifteen; and that the citizens of each ward, qualified by existing laws to vote for the same, shall on the second Tuesday in October, Anno Domini one thousand eight hundred and seventy-one, and on each second Tuesday in October thereafter, elect one person qualified as aforesaid, to represent said ward in town council of said borough, for the period of three years.

Borough to remain a single school district.

SECTION 4. That the borough of Norristown shall be and remain as heretofore one school district, and that each ward

shall be entitled to two school directors or members of the school board of said borough, and that the qualified electors of each of said wards shall, at the times and places fixed by this act, elect two persons to serve as school directors for said ward: *Provided however*, That the persons at present constituting the school board of said borough shall remain in office until the end of the terms for which they were respectively elected, and shall be considered as members of said school board from the wards in which they may reside at the time of the passage of this act: *And provided further*, That removal from the ward in which any person or persons may have been elected as school director, or members of the town council of said borough, shall create a vacancy or vacancies in said school board or town council, as the case may be, which vacancy or vacancies shall be filled as is now provided by law.

Directors.
Proviso.

SECTION 5. That the qualified electors of each of said wards shall, at the time and places fixed by this act, elect one person to serve as judge of the elections, and two persons to serve as inspectors of elections for each of said wards, to perform the duties enjoined by the acts of assembly relating to elections; and at the same time and places the qualified electors of each of said wards shall elect for each ward the same number of assessors as each township in this commonwealth is by law now entitled to, and one person to serve as constable for each ward; and in case of failure to elect, or in the event of a vacancy in any of said offices in either of said wards, by death, removal or refusal, or legal incompetency to serve, or otherwise, said vacancy or vacancies shall be filled in the same manner as provided by existing laws for filling such vacancies in the several townships of this commonwealth: *Provided*, That the present constables and assessors shall continue in the performance of their several duties until others be legally elected or appointed: *And provided further*, That nothing contained in this act shall be construed to alter or in any way affect the last tri-ennial assessment.

Election officers

Constable.

Proviso.

SECTION 6. That existing laws in this commonwealth requiring that for each ward in a borough two justices of the peace shall be elected, shall not be deemed to extend to the wards of the borough of Norristown, where justice shall be elected for each ward, at the time and in the manner provided by law; and the present justices of the peace shall continue in the performance of their duties, under their present commissions, as if each had been elected for the respective ward in which he now resides.

Justices of the
peace.

SECTION 7. That the present assessors of the present Upper and Lower wards, in said borough, shall respectively make out and prepare separate lists of the qualified voters in each of said First, Second, Fourth and Fifth wards, as constituted by this act, a copy of which shall be exposed at the place designated herein for holding the elections, and a copy furnished the election officers of each of said wards, as is by existing laws directed to be done in wards and townships, and for so doing they shall receive the same compensation as for

Duties of assessors.

other services of a similar character, and as now fixed by law.

Persons to conduct the next election in the several wards.

SECTION 8. That at the election to be held on the second Tuesday in October, Anno Domini one thousand eight hundred and seventy-one, in the said borough, the elections shall be opened and conducted in the several wards by the following named persons, viz: In the First ward, by Peter Griffith as judge of election, and Ephraim B. Bickel and William H. Bodey as inspectors of elections; in the Second ward, by Francis Baker as judge, and Thomas C. Jones and David Munshowey as inspectors; in the Third ward, by A. Brooks as judge, and Daniel Jacobus and Samuel G. Daub as inspectors; in the Fourth ward, by Edward Schall as judge, and J. Evans Isett and Sutton P. Kramer as inspectors, and in the Fifth ward, by John H. Duddy as judge, and Edwin Neiman and Enos Vaughan as inspectors, and who shall receive the same compensation as is now fixed and allowed by law to election officers in the several townships in this commonwealth.

Time of borough elections.

SECTION 9. That the borough and ward elections, held under and in pursuance of this act, in the said borough, shall be held annually on the second Tuesday in October.

Repeal.

SECTION 10. That so much of the act of incorporation of said borough, and the several supplements thereto, as may be altered, amended or supplied by the provisions of this act, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 701.

An Act

To authorize the president, managers and company of the Delaware and Hudson Canal Company to construct a railroad from the point of intersection of the Lackawanna and Susquehanna railroad with the line between the states of Pennsylvania and New York, to an intersection of the Jefferson railroad, at or near the village of Susquehanna, in Susquehanna county, in the state of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers and company of the Delaware

and Hudson Canal Company be and they are hereby authorized to locate and construct a railroad from the point where the Lackawanna and Susquehanna railroad intersect the state line between the states of Pennsylvania and New York, to an intersection of the Jefferson railroad, at or near the village of Susquehanna, in the county of Susquehanna, in the state of Pennsylvania.

Delaware and Hudson canal authorized to construct railroad.

Location.

SECTION 2. That the said president, managers and company of the Delaware and Hudson Canal Company, in the location and construction of the said railroad, shall have all the power, authority and privileges given in the tenth section of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine; and all damages in the location and construction of the said railroad, for right of way and land and materials taken, or otherwise, if the parties cannot agree therefor, shall be secured and assessed and paid in the manner provided by the said act of assembly, entitled "An Act regulating railroad companies," and the several supplements thereto.

Provisions of general railroad law applicable.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 702.

An Act

To exempt all burial grounds and cemeteries from taxation in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all lands enclosed as burial grounds and cemeteries, and used for the interment of the dead, and for no other purpose, together with the buildings and improvements thereon, owned by churches, corporations or associations, shall hereafter be exempt from all taxation for municipal or county purposes of the city of Philadelphia.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 703.

An Act

Authorizing the court of quarter sessions of Lancaster county to grant licenses to keep inns or taverns to John Yohn, of West Hempfield township, Lancaster county, and Lucas Fritz, of Columbia borough, in said county.

WHEREAS, The tavern licenses of John Yohn, of West Hempfield township, Lancaster county, and Lucas Fritz, of Columbia borough, in said county, could not be granted by the court of quarter sessions of Lancaster county at April sessions, one thousand eight hundred and seventy-one, by reason of the petitions having been filed in the clerk's office a less time than the time required by law; they being old stands, and having been advertised and all the other requirements of the license law having been complied with; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the court of quarter sessions of Lancaster county, at any time when in session, are hereby authorized and empowered to grant the aforesaid licenses of John Yohn and Lucas Fritz, in the same manner as if their petitions had been filed in the clerk's office the requisite length of time.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 704.

An Act

To vacate a part of Jones street, in the Ninth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jones street, in the Ninth ward of the city of Phila-

delphia, extending eastwardly from Sixteenth street toward Fifteenth street, about one hundred and eighty-two feet, more or less, in length, to the line of the depot of the Pennsylvania Railroad Company, be and the same is hereby vacated: *Provided*, The owners of the property bounding thereon consent thereto, by writing, to be filed in the office of the chief engineer and surveyor of said city.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 705.

An Act

Increasing the compensation of supervisors in the township of Coolbaugh, in the county of Monroe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the supervisors of the township of Coolbaugh, in the county of Monroe, shall each be entitled to receive for their services two dollars per day for each day they are necessarily engaged in the discharge of their official duties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 706.

An Act

To incorporate the Conshohocken Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That Lewis A. Lukens, Evan D. Jones, A. D. Saylor, Alan Wood, Junior, Benjamin Hany, Frederick Light, Samuel Fulton, David L. Wood, William Summers, John K. Reed, George W. Jacoby, Michael O'Brien, James Tracy and William Haywood, be and they are hereby appointed commissioners, and they, or any five of them, are hereby authorized to carry into effect the establishment of a gas and water company, by the name, style and title of the Conshohocken Gas and Water Company, and to be located in and near the borough of Conshohocken, in the county of Montgomery, with a capital stock of fifty thousand dollars, to be divided into shares of twenty-five dollars each, for the purpose of supplying gas light and pure water to the borough of Conshohocken and the inhabitants residing therein and near thereto as may desire the same, at such price as may be agreed upon, to be organized, managed and governed as is provided by an act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and be subject to all the provisions and restrictions together with all the rights and privileges by said act and the supplement thereto not supplied or enlarged by this act.

Provisions of general law applicable.

Powers and privileges.

SECTION 2. That the said company shall have power and authority to take the supply of water from the river Schuylkill, or from any stream or streams, spring or springs in Montgomery county, within two miles of the said borough of Conshohocken, and if deemed advisable by the president and managers of said company, they may erect and maintain all works and machinery necessary or proper for raising and introducing a sufficient supply of water into said borough, outside the limits thereof, on either side of the said river Schuylkill, with power to occupy, ditch and lay pipe through lands, river or streams intervening, and to do all other and necessary things for the purposes of said company: *Provided,* That such parts of the said works of the said company as may be deemed advisable shall be done from time to time, and the company shall have as full power over the work completed as though it had finished the whole work contemplated by this act.

Proviso.

President and managers may levy tax.

SECTION 3. That the president and managers of the said company shall be and are hereby authorized to levy and assess yearly, and every year, a tax, to be called a protection tax, upon the owners or occupiers of lots having any building or buildings thereon, bounded on a street where a water-pipe of

said company is laid opposite thereto, or within one hundred yards of said pipe, and that the president and managers shall have power to collect the said protection tax as debts are now collected by the laws of this commonwealth; and that the said board of managers shall have the right to make such abatements and exonerations as to them may seem just and reasonable: *Provided*, That each protection tax shall not exceed the sum of five dollars on a front not exceeding thirty feet: *And provided further*, That no such protection tax shall be levied and assessed upon lots whose owners or occupiers pay water rents for the use of said lots of the water furnished by the said company: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 707.

A Supplement

To an act, entitled "An Act to authorize the burgess and town council of the borough of Lehighton, Carbon county, to borrow money," approved the twenty fourth day of March, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the burgess and town council of the borough of Lehighton, in the county of Carbon, or their successors in office, be and they are hereby empowered to borrow an additional sum of money to that authorized to be borrowed in the act to which this is a supplement, not to exceed the sum of ten thousand dollars, upon the conditions and in the manner provided by said act.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 708.

In Act

To legalize the election of Aaron K. Gift, as county surveyor of Snyder county, and extending his term of office.

Preamble.

WHEREAS, It appears from the report of the surveyor general, for the year Anno Domini one thousand eight hundred and seventy-one, that the county of Snyder is without a duly recognized county surveyor:

And whereas, Aaron K. Gift, Esquire, was, at the general election in October, Anno Domini one thousand eight hundred and seventy, duly elected as county surveyor in and for the said county, for the term of three years:

And whereas, The time, in pursuance to the law regulating the election of county surveyors, passed April ninth, one thousand eight hundred and seventy, will be at the general election in October, one thousand eight hundred and seventy-one; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Election of
Aaron K. Gift,
legalized.

That the election of Aaron K. Gift, as county surveyor of the said county of Snyder, is hereby made lawful and valid, as if the said election had taken place at the regular election for county surveyors; and that the said Aaron K. Gift shall perform the duties of the said office, from the date of the passage of this act until the general election for county surveyors, in the year one thousand eight hundred and seventy-four, or until his successor in office shall be elected and duly installed according to law, after said general election, in the year one thousand eight hundred and seventy-four: *Provided*, That said Aaron K. Gift shall first file his certificate of election, bearing date the fourteenth day of October, one thousand eight hundred and seventy, and his bonds, bearing date the fifteenth day of December, one thousand eight hundred and seventy, and his oath of office according to law, in the surveyor general's office of this commonwealth.

Term.

Proviso.

When surveyor
general to issue
commission.

SECTION 2. That as soon as the said Aaron K. Gift shall have filed his certificate of election, bonds and oath of office aforesaid, as required by law, the surveyor general of the commonwealth shall issue the usual commission or instructions to said Aaron K. Gift, as county surveyor of the county of Snyder, in the same form and manner as is issued to the other county surveyors of the several counties in this commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 709.

An Act

Authorizing the school district of the borough of South Pittsburg, in the county of Allegheny, to borrow money and provide for the payment thereof, and to sell real estate, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school district of the borough of South Pittsburg aforesaid, be and the same is hereby authorized to borrow money upon the faith and credit of said district, not exceeding the sum of thirty thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to issue bonds therefor, to be executed by the president and secretary of the board of directors, under the control of the board, in amount not less than one hundred dollars each, and to run for a period not exceeding ten years; and said bonds shall be exempt from all taxation except for state purposes.

School district of South Pittsburg to borrow money.

Limitations.

Bonds.

SECTION 2. That the board of directors of said school district shall have power to levy, assess and collect, annually, a special tax for the payment of the principal and interest of the bonds issued as aforesaid.

Directors may levy and collect special tax.

SECTION 3. The board of school directors of said district are hereby authorized to grant, bargain, sell and convey, in fee simple, the whole or any part of the real estate now used in said district for school purposes, if, in their judgment, it shall seem necessary or proper so to do, and to purchase other real estate and erect suitable buildings thereon for public school purposes.

May sell property now used for school purposes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 710.

An Act

Relative to Mechanics' street, Twenty-first ward, city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Mechanics' street, as now laid out and confirmed, between Manayunk avenue and Bellair street, be continued in the same direct line to Terrace street, in the Twenty-first ward, city of Philadelphia.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 711.

An Act

To exempt the county of Schuylkill from the provisions of an act, approved the tenth day of April, one thousand eight hundred and sixty-seven, entitled "An Act relative to hucksters in the county of Dauphin."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the county of Schuylkill shall be exempt from the provisions of an act, entitled "An Act relative to hucksters in the county of Dauphin," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 712.

An Act

Repealing an act to prevent the hunting of deer with dogs in the county of M'Kean, approved the tenth day of February, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the acts of February tenth, Anno Domini one thousand eight hundred and fifty-five, entitled "An Act to prevent the hunting of deer with dogs in the county of M'Kean," be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 713.

An Act

Relative to the sale of leasehold estate, machinery, fixtures and improvements in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act no constable shall levy upon or sell the leasehold estate, machinery, fixtures, improvements or any greater estate in lands and fixtures appurtenant to or connected with any colliery or lease in the county of Schuylkill: *Provided,* That the provisions of this act shall not exempt from levy and sale by constables the personal chattels of the defendant.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 714.

An Act

To repeal so much of an act approved the twenty-seventh day of March, one thousand eight hundred and sixty-six, entitled "An Act to prohibit the issuing of licenses within boroughs in certain counties," as relates to Perry county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved March twenty-seventh, one thousand eight hundred and sixty-six, entitled "An Act to prohibit the issuing of licenses within the boroughs in the counties of Armstrong, Potter, Indiana and Perry," be and the same is hereby repealed, so far as the same relates to the boroughs of Duncannon, and Penn townships, in the county of Perry.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 715.

An Act

To promote the prompt payment of taxes due from the estates of decedents, and other estates, in the county of Northampton and Lehigh.

WHEREAS, It frequently happens that the taxes assessed upon the estates of decedents, assignors, lunatics, habitual drunkards, at the time of death, assignment or inquisition found, are not paid, and the executor, administrator, assignee, trustee, or committee in charge of such estates is unwilling to pay such taxes until settlement of his accounts, thereby causing great additional trouble and delay to the collector and the municipal authorities; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall be lawful for all executors, administrators, assignees, committees, and trustees of every description, to promptly pay all state, county, borough, township, school, road, or other taxes, already assessed, at the time of their appointment, or which shall be thereafter assessed during their term of office, upon the estates, real and personal, in their charge, so soon as funds of the estate shall come into their hands; and for such payment of taxes the said executors, administrators, assignee, committee or trustee, shall be entitled to full credit upon settlement of their accounts of such estates in their hands, whether such estates shall be solvent or insolvent at the time of such payment: *Provided*, That the provisions of this act shall only apply to the counties of Lehigh and Northampton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 716.

An Act

To incorporate the Allegheny Car and Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That W. H. M'Gee, S. H. Geyer, J. Morton Hall, J. B. Stewart, J. H. Miller, W. F. Wilson, G. W. Glass, E. D. Nettleton, E. R. Kramer, W. A. Tomlinson, and their successors and associates, be and they are hereby created into a body politic and corporate, under the name, style and title of the Allegheny Car and Transportation Company, and by such name to have, exercise and enjoy all the rights, privileges and immunities of a body politic or corporate, to sue and be sued, to plead and be impleaded, to have a common seal, and the same to alter at their pleasure, with power to rent, lease, contract for, purchase, (in fee simple or otherwise,) hold, sell, convey, mortgage or otherwise encumber or dispose of such real estate, easements and privileges as it may be necessary or deemed advisable so to do for the carrying on of or conducting the business as hereinafter provided for, with power to make contracts with individuals, railroad and navigation companies and common carriers, for such rights and privileges as this

Corporators.

Name.

Powers and privileges.

said company may desire to have and exercise, in connection with the object for which this said company is created.

Object of corporation

SECTION 2. The object of this said company is to purchase, build, equip, rent, lease or contract for cars, trucks, dumpies, flats or other railroad vehicles, for the purpose of selling or using, renting or letting the same to any person or corporation, on such terms or at such prices as may be agreed upon, or for the purpose of carrying or transporting any freight or merchandise over any railroad now built, or that may hereafter be built, under such arrangements or contracts as the said car and transportation company may be able to make with such railroads as they may desire to use; and the said company shall have power to charge and collect such rates of freight or charges for transportation as may be agreed upon by and between said company and such persons, firms and corporations, as shall desire to have freight or merchandise transported, subject, however, to the approval of the railroad companies whose road or lines may be used; and they may charge and collect such prices for the sale, use or rental of their cars, trucks, dumpies or flats, or other railway vehicles, as may be agreed upon between them and the persons, firms and corporations purchasing, using or renting the same.

Capital.

SECTION 3. The capital of said company shall be one hundred thousand dollars, in shares of fifty dollars each, with the privilege of increasing the same as the directors may determine, not to exceed five hundred thousand dollars; which shares may be transferred by the owner thereof, in such manner as shall be determined by the by-laws.

Shares transferable.

Management.

SECTION 4. That the business of this company shall be managed by nine directors, one of whom shall be chosen president of said company, all of whom shall be stockholders; said directors shall appoint a secretary and treasurer, such agents and employees as shall be necessary to carry on the business of said company; and they shall have power to declare dividends at such times and in such amounts as the business of the company will warrant, and as the directors may deem advisable.

Corporators may open books for subscriptions.

Organization.

SECTION 5. That the persons named in the first section of this act, or a majority of them, shall, within sixty days after the passage of this act, open books for subscriptions to the capital stock of said company, and when at least ten thousand dollars are subscribed, organize by holding an election for nine directors of said company, who shall continue in office until their successors are elected; and when five per centum of the said amount shall be paid in, a certificate of such fact being furnished to the governor by the president of said company, with the names of the subscribers and the number of shares subscribed by each, he shall issue letters patent to said corporation.

By-laws.

Proviso.

SECTION 6. That the said corporation shall have power to make by-laws, rules and regulations for the government of their officers: *Provided*, The same are in conformity with the constitution and laws of this commonwealth and of the United States; and said by-laws shall fix the time and manner of election, and duties of directors: *Provided*, Said elec-

tion shall be held annually, and that the next election after this first election shall not exceed two years from the passage of this act: *And provided*, That a failure to elect directors at any time shall not operate as a disorganization of this said corporation.

SECTION 7. It shall be lawful for said company to borrow money, at such rate of interest as may be agreed upon, to issue bonds and sell the same at the market value, which bonds may be secured by mortgage upon the property and franchises of the corporation; but no bond shall be issued for a less amount than one hundred dollars. May borrow money and mortgage property.

SECTION 8. The corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law. Bonus and taxes

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 717.

An Act

To repeal an act approved May first, one thousand eight hundred and sixty-one, entitled "A further supplement to an act incorporating the Westminster Collegiate Institute, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-two."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "A further supplement to an act incorporating the Westminster Collegiate Institute, approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-two," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 718.

An Act

To repeal an act to extend the provisions of an act for the protection of sheep in certain counties, approved April eight, one thousand eight hundred and sixty-two, to the townships of West Earl, Elizabeth and Upper Leacock, in the county of Lancaster, approved April eleventh, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to extend the provisions of an act for the protection of sheep in certain counties, approved April eighth, one thousand eight hundred and sixty-two, to the townships of West Earl, Elizabeth and Upper Leacock, in county of Lancaster," approved April eleventh, one thousand eight hundred and sixty-eight, be and the same is hereby repealed: *Provided,* That any surplus tax collected under provisions of this act shall be paid over for school purposes to the school directors of said townships in which said tax has been collected, in porportion to the amount therein collected.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 719.

An Act

Relative to the fees of the crier of the several courts of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the fees to be received by the crier of the several courts of Schuylkill county, in lieu of those now allowed by law, shall be as follows, viz :

On all suits, amicable actions, appeals from justices and transcripts of judgment entered of record in the office of the prothonotary of said county, the sum of twenty-five (25) cents.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 720.

An Act

To incorporate the Provident Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Philip G. Murphy, Patrick M'Crossin, Hugh Deehan, Patrick Devenny, John M'Guckin, Thomas Haran and Edward C. Quin, and their associates, be and they are hereby made and constituted a corporation and body politic in law and in fact, with all the rights, incidents and franchises of a corporation; the said corporation shall be known as and called the Provident Improvement Company; and the said company shall have the right, power and authority from time to time to purchase, have and hold lands, not exceeding in the aggregate five thousand acres; and in order to enable the said company the better to dispose of the said lands, and parts thereof, they may lay the same out in town or building lots and erect houses thereon, and sell and convey the same in fee simple, or for any less estate, to the members and others, in such parts, portions or parcels as to them may seem fit; the said company may also lend the funds to the stockholders thereof, upon their stock and such other security as may be acceptable, to enable them to build or assist them in their business; and the said funds of the said company shall be lent and advanced to the said stockholders thereof, upon such terms, conditions, and for such periods of time as may be mutually agreed upon by and between the said stockholders and the said company; and as between the said stockholders and the said company no plea of want of consideration, offset or objection shall be made by any stockholder against any claim of the said company for money lent to said stockholder by the said company, by reason or on account of any interest or premium which the said stockholder or stockholders may have

Corporators.

Name.

May purchase, hold and dispose of lands.

May erect houses, &c.

May loan funds to stockholders.

paid or agreed to pay to the said company for any such loan or loans made, or which may be made, to any of said stockholders by the said company; all such interest and premium which any stockholder may agree to give and pay to the said company for any loan or loans is hereby declared to be lawful, and shall and must be paid, and the payment thereof may be enforced by due process of law, any law or custom to the contrary notwithstanding.

Organization.

SECTION 2. That the said Provident Improvement Company shall organize within one year from the date hereof, by the election of a president, treasurer, secretary, solicitor and nine directors; the president, treasurer and directors shall form a board of directors for the management of the affairs of the company; the said officers and directors shall serve until their successors are duly elected and qualified, and any vacancy occurring may be filled by the board of directors.

Officers.

May receive money on deposit.

SECTION 3. The said company shall have the right to receive money on deposit, and to issue shares of stock to an amount not exceeding twenty thousand shares; each share of stock shall be of the nominal value of two hundred dollars, which may be paid up in such instalments and at such times and places as the board of directors may determine; the said stock shall be divided into two classes, one class to be called "members' shares," and the other class to be called "stockholders' shares;" members' shares shall not be redeemed, cancelled or withdrawn, nor shall any loan be granted upon them, but the same shall be and remain as a capital stock for said company and as security for the stockholder's shares; and the said members' shares shall be liable for all losses which may occur in the business or management of the said society; and the said members' shares shall be entitled to any profits which the said company may make; and inasmuch as the said members' shares will be pledged for the good management of the said company, and will remain as security for all losses which the said company may suffer, none but those holding members' shares shall be eligible to or hold any office or position in the said company, nor shall any other than those holding members' shares be entitled to vote upon any question or for any officer; each share of members' shares of stock shall be entitled to one vote.

Rules and regulations.

SECTION 4. The board of directors of said company may make such rules and regulations as may be necessary for the better management of the said Provident Improvement Company; and they may re-issue from time to time any stock which may be redeemed, forfeited, cancelled or withdrawn.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 721.

An Act

To incorporate the Improvement and Co-operative Company, with powers to acquire and improve property, to use and dispose of the same, to aid contractors and others, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Brown, E. C. Cook, H. B. Masser, Wm. Gillingham, John Kelsb, Charles Broom, their associates, successors and assigns, be and they are hereby created a body corporate and politic, by the name, style and title of the Improvement and Co-operative Company of Philadelphia, Pennsylvania, and by that name and title shall be known and have perpetual succession, and may exercise and enjoy all the privileges, franchises and immunities incident to a corporation, may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record and otherwise, may purchase, receive by gift or otherwise, hold and enjoy property, real, personal and mixed, of what kind and quality soever, may construct, build and erect such buildings, structures, works and improvements, public or private thereon, as may be deemed proper, and may use, manage and maintain the same, may sell, convey, mortgage, transfer, grant, lease, sub-lease and dispose of any portion or the whole of their property, at such prices and on such terms as may be deemed proper, may exercise and enjoy the privileges granted and defined in the further sections of this act, and also make and have a common seal, and the same to alter and renew at pleasure, and adopt such by-laws as may be necessary for the government of the said company, the same not being contrary to the constitution and laws of this commonwealth, and generally may do all things appertaining to a company designed to aid in the development and improvement of the country: *Provided,* That nothing therein contained shall be so construed as to give to the said company any banking privileges of issuing their obligations as a currency.

SECTION 2. That the said company shall have power to contract with companies, corporations and other parties in the construction, building and equipment of works and improvements, public or private, of whatever kind, at such prices and on such terms as may be agreed upon by the parties respectively, and may purchase, lease, use, maintain and sub-lease the same, and may also co-operate and unite with any other company in so doing.

SECTION 3. The said company shall have power to make purchases and sales or investments in the securities of other companies, and to make advances of money and of credit to other parties, and to aid in like manner contractors, miners,

Corporators.

Name.

Perpetual succession.

Powers and privileges.

May hold lands and erect buildings.

Seal.

By-laws.

No banking privileges.

Authorized to contract with companies, &c.

May invest in securities of other companies.

May receive property in trust.

manufacturers and others, and to receive and hold in trust or otherwise, or as collateral, any estate or property, real, personal and mixed, including the notes, obligations and accounts of individuals, companies and corporations, and the same to purchase, adjust, collect and settle, and also to pledge, sell and dispose thereof on such terms as may be agreed on between them and the parties contracting with them, and also to endorse and guarantee the payment of the bonds, and the performance of the obligations of other companies, corporations and parties, and to assume, become responsible for, execute and carry out any contracts, leases or sub-leases made by any company to or with any other company or companies, individuals or firms whatever.

May endorse and guarantee the payment of bonds, &c.

Additional powers.

SECTION 4. The said company shall have power to purchase, use and maintain any works or improvements connecting or intended to be connected with the works and improvements of the said company, and to merge or consolidate or unite with the said company, or the improvements, property and franchises of any other company or companies, on such terms and conditions as the said company may agree upon, and to fix and regulate all charges in maintaining and carrying on the business of their works and improvements of whatever kind, and of those under their control; and the said company shall only be taxable on the proportion of dividends on its capital stock, and upon net earnings or income only in proportion to the amount of business actually done by it within the state of Pennsylvania; and all its earnings or income derived from its business beyond the limits of the commonwealth shall not be liable for taxation.

Income from business done in this state alone taxable.

May issue and sell certificates of stock.

SECTION 5. The said company shall have power to issue certificates of stock from time to time, the par value of the shares of which to be not less than ten dollars each, representing the property and business of the company; which stock may be sold at the par value of the shares thereof, or at such price and on such terms as the directors may deem best, and be declared fully paid and not liable to further calls; the corporators named in the first section of the act may, after due notice has been given, open books of subscription, and whenever fifty thousand dollars of the stock has been subscribed and five per centum thereon actually paid in, organize the said company by the election of not less than five directors, and may choose out of the list of directors a president, one or more vice presidents, a secretary and treasurer, and may also elect or appoint such other officers and agents as the business of the company may require; the directors and officers to hold their positions until their successors shall have been chosen in accordance with the by-laws of the company; but in no event shall the existence of the company be in anywise affected or be dissolved by reason of a failure to elect officers.

May open books and receive subscriptions.

Organization. Officers.

May borrow money and mortgage property.

SECTION 6. The said company may borrow money from time to time, upon a pledge of their property, or without such pledge, and may create, execute and deliver mortgages, and also bonds, with or without coupons, at the legal rate of interest of the state, and may sell the same at such prices and

on such terms as may be deemed proper by the board of directors, and may also hypothecate the same in transactions between the company and individuals and corporations.

SECTION 7. The said company shall have an office in Philadelphia, and may have a general office or offices elsewhere. Location of office

SECTION 8. The stockholders and directors shall be individually liable only to the amount remaining unpaid on the stock held by them respectively. Individual liability.

SECTION 9. The said company is hereby authorized to create and convert such portions of their capital stock, from time to time, as they may desire, into a preferred stock, and to issue and appropriate the same to such special purposes as may be deemed proper; which preferred stock, as well as the common stock heretofore authorized to be created, shall be subject to such rules, regulations and conditions as may be prescribed by the board of directors, and may be sold as authorized in section five of this act. Preferred stock.

SECTION 10. The said company may change its name whenever the holders of two-thirds of the stock of the company shall so determine by a vote, certificate of which changes to be filed in the auditor general's department, with the signatures of the president and secretary and the seal of the company thereto affixed. How name may be changed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 722.

An Act

Relating to the preservation of trout in the counties of Union, Centre and Mifflin, and in Penn's creek and its tributaries.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall not be lawful for any person or persons to carry, send or transport any trout taken in any of the streams in the counties of Union, Centre and Mifflin, or in Penn's creek or its tributaries, to any place, firm or persons outside of said county of Union, for the purpose of selling the same, or upon any agreement or contract to furnish the same in any quantity whatever: *Provided,* That trout raised in ponds for that purpose shall not be included in the provisions of this act.

Trout taken in Centre, Union and Mifflin counties not to be sent outside of said counties.

Proviso.

SECTION 2. Any person or persons offending against the provisions of the first section of this act shall be subject to a fine not exceeding fifty dollars, to be sued for by any person having knowledge of such violation, in his own name, before any justice of the peace of said county of Union; one-half of said fine, when collected, to be paid by the justice to the treasurer of the school district in which such offence was committed, and one-half to the informer; and in such suit the shipment or transportation of trout by any person or persons, by any public conveyance, beyond the limits of said county of Union, unaccompanied by the person or persons so shipping the same, shall be deemed and taken as conclusive evidence of the sale of the same under the provisions of this act; and in default of payment of the fine imposed by this act, the defendant shall be committed to the county jail of Union county, for a period not exceeding twenty days.

SECTION 3. Any justice of the peace in Union county is hereby authorized to exercise jurisdiction under this act for any violation of the same.

SECTION 4. It shall not be lawful for any person to fish for trout in the said counties upon the first day of the week, commonly called Sunday; and any person so offending shall be guilty of a misdemeanor, and on conviction shall pay a fine not exceeding twenty-five dollars, or be imprisoned in the county jail of Union county for a period not exceeding twenty days; and the court of quarter sessions of Union county is hereby authorized to exercise jurisdiction for any such offence committed in the waters of Penn's creek, in the county of Snyder.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 723.

An Act

Supplementary to an act, entitled "An Act to incorporate the Washington Monument Association of the First school district of Pennsylvania," approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the title of the aforesaid corporation be changed to that of the Philadelphia Monumental Association, and that said association, in erecting monuments and memorials to distinguished Americans, are hereby invested with the authority to select sites and erect memorials thereon in any of the parks, squares or streets of the city of Philadelphia, with the consent of said councils and park commissioners.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 724.

An Act

To incorporate the Board of Education of the Presbyterian church in the United States of America, and to make them the successors of the trustees of the Board of Education of the Presbyterian church of the United States of America, and of the permanent committee on education for the ministry of the General Assembly of the Presbyterian church in the United States of America.

WHEREAS, The two religious bodies heretofore existing each under the name of the General Assembly of the Presbyterian church in the United States of America, have united the congregations under their care, and the General Assembly of the church thus united, which met in Philadelphia on the nineteenth day of May, Anno Domini one thousand eight hundred and seventy, and which is the legal successor of both the former bodies, has directed that the work of assisting pious young men in their education for the ministry of the said church, shall be hereafter carried on under its direction by one board, the location of which has been fixed in the city of Philadelphia; therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Herrick Johnson, Elias R. Beadle, Thomas J. Shepherd, Benjamin L. Agrew, Peter Stryker, Alexander Reed, Morris Patterson, Samuel Field, Benjamin B. Comegys, Henry C. Gregory, Benjamin Rendell and James F. Gayley, who were elected at the said meeting of the said General Assembly in May, Anno Domini one thousand eight hundred and seventy as the Board of Education of the said church, and their suc-

Preamble.

Corporators.

Name. Perpetual suc- cession. Powers and privileges. Seal. By-laws. Term of corpo- rators. Subject to. Assignments, transfers, &c. Legal successor.	<p>cessors, are hereby constituted and declared to be a body politic and corporate, which shall henceforth be known by the name of the Board of Education of the Presbyterian church in the United States of America, and as such shall have perpetual succession, and be able to sue and be sued in all courts of record and elsewhere, and to purchase and receive, take and hold, to them and their successors forever, lands, tenements, hereditaments, money, goods and chattels, and all kinds of estates which may be devised, bequeathed, conveyed or given to them, and the same to sell, alien, demise and convey; also to make a common seal, and the same to alter and renew at their pleasure, and also to make such rules, by-laws and ordinances as may be needful for the government of the said corporation, and not inconsistent with the constitution and laws of the United States and of this state: <i>Provided always</i>, That the clear yearly value of the real and personal estate held by the said corporation shall not at any time exceed the sum of twenty thousand dollars.</p> <p>SECTION 2. The corporators above named shall hold their office until their successors are duly qualified to take their places, who shall be chosen by the said the General Assembly of the Presbyterian church in the United States of America, at such time and in such a manner as it shall direct: <i>Provided</i>, Not more than one-third of the said board shall be removed in any one year.</p> <p>SECTION 3. The board hereby incorporated, and their successors, shall, subject to the direction of the said General Assembly of the Presbyterian church in the United States of America, have full power to manage the funds and property committed to their care, in such manner as shall be deemed most advantageous, not being contrary to law.</p> <p>SECTION 4. That the trustees of the Board of Education of the Presbyterian church in the United States of America, heretofore incorporated under the laws of this commonwealth, are hereby authorized to assign, transfer and convey unto the corporation established by this act, all the property, estates and rights of any and every description, now held or enjoyed or which may hereafter be held or enjoyed by them, by virtue of any grant, gift, bequest or devise; and the said the Board of Education of the Presbyterian church in the United States of America, hereby established, shall be and become the full legal successor of all the corporate rights, franchises and privileges now belonging to the said the trustees of the Board of Education of the Presbyterian church of the United States of America, and shall and may hold, use and enjoy all the property, estates and rights assigned, transferred or conveyed so as aforesaid, in the same manner and to the same extent, but subject to the same limitations and trusts as the said the trustees of the Board of Education of the Presbyterian church of the United States of America might have done, and shall be entitled to receive, sue for and recover all legacies or devises which have heretofore been, or may hereafter be, made to the said the trustees of the Board of Education of the Presbyterian church in the United States of America.</p>
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SECTION 5. That in case the requisite power shall be given by the proper authority of the state of New York to the said the permanent committee on education for the ministry of the General Assembly of the Presbyterian church in the United States of America, a corporation established by the legislature of the said state of New York, to assign, transfer and convey, unto the corporation established by this act, all the property, estates and rights of any and every description now held or enjoyed or which may hereafter be held or enjoyed by them, by virtue of any grant, gift, bequest or devise; and in case the said proper authority of the state of New York shall also give full power to the corporation hereby established, thereupon to be and become the legal successors of all the corporate rights, franchises and privileges now belonging to the said the permanent committee on education for the ministry of the General Assembly of the Presbyterian church in the United States of America, to all intents and purposes, the said corporation hereby established, is authorized to accept and receive the assignment, transfer and conveyance made as aforesaid; and upon such assignment, transfer or conveyance being made, and also upon the granting of power by the proper authority of the state of New York to the corporation hereby established, to become the full legal successors as aforesaid of the said the permanent committee on education for the ministry of the General Assembly of the Presbyterian church in the United States of America, the Board of Education of the Presbyterian church in the United States of America, hereby established, shall be and become the full legal successors of all the corporate rights, franchises and privileges now belonging to the said the permanent committee on education for the ministry of the General Assembly of the Presbyterian church in the United States of America, and may and shall hold, use and enjoy all the property, estates and rights assigned, transferred or conveyed so as aforesaid, in the same manner and to the same extent, but subject to the same limitations and trusts as the said the permanent committee on education for the ministry of the General Assembly of the Presbyterian church in the United States of America might have done, and shall be entitled to receive, sue for and recover all legacies and devises which have heretofore been, or may hereafter be, made to the said the permanent committee on education for the ministry of the Presbyterian church in the United States of America.

Additional
powers and
privileges.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 725.

An Act

Increasing the number of school directors in the borough of Pottstown, county of Montgomery, forming an additional ward in said borough, for regulating the police of the said borough, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Increase of directors authorized.

Election.

Vacancies.

East ward divided.

Places of election.

Election officers

Police.

That from and after the passage of this act the number of members of the school board of the borough of Pottstown, in the county of Montgomery, shall be increased from six to nine; and at the next annual election for members of said school board, the qualified electors of said borough shall vote for one person to serve as a member of the board of school directors for one year, one person to serve for two years, and three persons who shall serve for three years, and thereafter each and every year, the qualified electors of said borough shall vote for three members of the board of school directors to serve for three years; all vacancies in the board of school directors, after the passage of this act, shall be filled by the board.

SECTION 2. The East ward of the borough of Pottstown shall be divided into two wards, so that there shall be three wards in said borough; and all of said East ward of the borough of Pottstown, lying between Hanover street and Franklin street, shall be known as the Middle ward, and all of said East ward lying east of Franklin street, and between said street and the borough line, shall be known as the East ward; the place of holding elections in said Middle ward shall be at the Pottstown market house, and the place of holding the elections in said East ward shall be at the Union hotel, now kept by Henry Muhlhouse, being the same place where elections of the East ward are now held; and at all elections for ward officers held hereafter, each of said Middle and East wards shall elect one person for justice of the peace, if there be a vacancy, one person for assessor, one person for constable, one person for judge, two persons for inspectors, and triennially at the usual times for electing such officers, two persons for assistant assessors in each ward: *Provided*, That until the next annual election, Lewis B. Reifsnider shall be judge of the East ward, and Harrison R. M. Whitman and George B. Lessig inspectors of said East ward, but that the present assessors and constable of the East ward, as now constituted, shall fill their offices for both Middle and East wards, as created by this act, until the expiration of their term of office.

SECTION 3. That the town council of the borough of Pottstown are hereby authorized and empowered to employ a regular police force in said borough, for the preservation of law

and order; such police to be appointed by the burgess, confirmed by the town council, and paid out of the treasury of the borough; and the number of said police shall be fixed by ordinance of the town council, and increased and diminished by ordinance as the town council may deem advisable and necessary; said police shall have all the powers and authority of constables and police in making arrests and preserving the public peace, as are conferred by the general laws of this commonwealth, and be subject to removal by the burgess.

SECTION 4. That for the payment of the police of the said ^{Tax.} borough of Pottstown, and to defray the necessary expenses of said borough, the town council shall have power to levy, annually, a tax not exceeding six mills on the dollar, of all real estate, occupations, trades and professions, and generally all property now taxable for school and county purposes in said borough, taking the valuation thereof as they shall be returned and valued by the county assessor for county taxes.

SECTION 5. The town council of the borough of Pottstown shall have the same power and authority in the collection of ^{Collection of taxes.} borough taxes, to enforce payment, as the general laws of this commonwealth confer in the collection of school taxes.

SECTION 6. That all acts or laws inconsistent with or ^{Repeal.} supplied by this act, so far as they relate to the borough of Pottstown, are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 726.

An Act

To incorporate the Philadelphia Publishing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John D. Stockton, John M. Carson, A. R. Calhoun, John Blakely, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate in law, by the name, style and title of the Philadelphia Publishing Company, to be located in the city of Philadelphia; and by the said name they and their successors shall and may have perpetual succession,

^{Corporators.}

^{Name.}

^{Perpetual succession.}

Powers and privileges.	and shall in law be capable of suing and being sued, pleading and being impleaded in all courts of law or equity within this commonwealth or elsewhere, and also of contracting and being
Object.	contracted with relative to the business and objects of the corporation, as hereinafter declared; and they, and their associates and successors as aforesaid, shall have power to lease or purchase and hold, in fee simple, such real estate as may be necessary for the business of said corporation.
Business.	SECTION 2. The business of said association shall be printing and publishing in all its branches, and the management of such real estate as they may purchase for the use of the said association; and the said association shall have power to
May issue bonds	issue bonds for the completion of improvements, at a rate of interest not exceeding seven per centum per annum, not exceeding in amount of principal the amount of the capital stock of said company, and secure the same by mortgage on the real and personal property and franchises of the corporation: <i>Provided</i> , That said bonds shall not be issued for a less sum than one hundred dollars each.
Capital.	SECTION 3. The capital stock of said corporation to be twenty thousand dollars, divided into shares of one hundred dollars each, with power, by a vote of a majority of shareholders, at any time, to increase the same to one hundred thousand dollars. Subscriptions to the capital stock may be called in such instalments and such times as the board of directors may determine.
Increase.	
Officers.	SECTION 4. The stockholders of said corporation shall choose one of their own number president, and another secretary and treasurer, who shall be elected annually, at meetings of the stockholders called for the purpose; and at such elections
Election.	each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.
Votes.	
By-laws.	SECTION 5. That the said company shall have power to make such by-laws as they may deem proper to enable them to carry out the objects of the corporation, and the same to amend, alter, add to or repeal at their pleasure: <i>Provided</i> , That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 727.

An Act

To widen a street in the borough of Mifflinburg, Union county.

WHEREAS, There was a public road lately laid out though Preamble.
the whole length of the borough of Mifflinburg, commencing
at the east end thereof and extending westward by Conrad
Sheckler, William Rule and Michael Kleckner, viewers ap-
pointed under the provisions of the general road law, and the
court fixed the breadth thereof at fifty feet, (the full width
allowed under general road law:)

And whereas, Fifty feet is not sufficient width for the busi-
ness intended along said street; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Represent-*
atives of the Commonwealth of Pennsylvania in General Assem-
bly met, and it is hereby enacted by the authority of the same,

That the burgess and town council of the borough of Mifflin-
burg, in the county of Union, be and are hereby authorized
and required to extend the breadth of said street laid out by
Conrad Sheckler, William Rule and Michael Kleckner, viewers
under the provisions of the general road law, and fixed by
the court at the width of fifty feet, from east end of the said
borough of Mifflinburg to the west end of same, ten feet on
the north side of said street the whole length thereof, so as
to make the breadth of said street sixty feet instead of fifty
feet.

Borough au-
thorities requir-
ed to widen a
certain street.

SECTION 2. That the damages sustained by the landholders Damages.
for the land so taken to widen said street shall be assessed
and paid in same manner as provided by law for the assess-
ment of damages of land taken for public roads.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thou-
sand eight hundred and seventy-one.

JNO. W. GEARY.

No. 728.

An Act

Authorizing the First German Reformed congregation of York, Pennsylvania, to disinter and remove the dead from their burial ground, and after such removal to sell said ground.

Preamble.

WHEREAS, The lot of ground situated on the west side of North Beaver street, in the borough of York, in the county of York, owned and heretofore occupied by the First German Reformed congregation of the borough of York, and part adjacent, as a burying ground, is now located in a populous part of said town, and from situation and size is no longer suitable for such purposes:

And whereas, The said congregation has purchased suitable lots for burial places in Prospect Hill cemetery, adjacent to said borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Authorized to
remove certain
dead bodies.

That the said First German Reformed congregation of the borough of York, and parts adjacent, be and they are hereby authorized to disinter or cause to be disintered and removed the dead bodies buried in the said lot of ground, and cause the same to be properly and carefully buried or re-interred in the lot belonging to said congregation, in Prospect Hill cemetery, adjacent to the borough of York, or in such other burying ground or cemetery in said county of York as the surviving friends or relatives of said deceased persons may direct: *Provided*, That the grave-stones and monuments that now designate or mark any particular grave shall also be removed and re-erected at the corresponding graves in such new burial ground, unless otherwise directed by said surviving friends and relatives.

Monuments,
&c., to be re-
moved.

SECTION 2. That before any bodies shall be removed, as provided in the preceding section, the said congregation shall cause notice of such intended removal to be published at least thirty days, in at least one English, and also one German newspaper, published in said borough of York; and the costs and expenses of such removals and re-interments shall be paid by the said congregation.

Notice of re-
moval to be
given.

SECTION 3. That the said the First German Reformed congregation of the borough of York, and parts adjacent, shall, after said removals and re-interments have been made, have full power and authority to sell, improve or lease all that the said lot of ground, situated on the west side of North Beaver street, in said borough of York, bounded and described as follows: Beginning at a post on North Beaver street, at the north-east corner of a lot belonging to the Episcopal church; thence by North Beaver street northwardly one hundred and fifteen feet to a post at a public alley; thence by said

Congregation
may lease or sell
lot after re-
moval of bodies.

alley westwardly two hundred and sixty feet to a post at a public alley; thence by said alley southwardly one hundred and fifteen feet to a post the corner of a lot belonging to the Episcopal church; thence by said lot eastwardly two hundred and sixty feet to the place of beginning; and to apply the purchase money received therefor, or the rents and profits derived therefrom, to the payment of the debts of said congregation, the maintenance of public worship, and such other congregational purposes, or invest the same as the said congregation may direct.

Purchase money and profits, how applied.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 729.

A Supplement

To an act to declare part of Conestoga creek, in the county of Lancaster, a public highway for the protection of fish, approved the second day of April, Anno Domini eighteen hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That section two of said act to which this is a supplement be so amended as to read from the mouth of said creek to the intersection of Muddy creek, instead of from a point known as Witmer's bridge, crossing said highway, up to the intersection of Muddy creek. Amendment.

SECTION 2. So much of section one of the act to which this is a supplement, as compels owners of mills or other water works to put up racks or grates, in the manner and for the purposes specified in said section, be and the same are hereby repealed. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 730.

A Supplement

To an act in relation to pleading and judgment, voluntary arbitration and additional return days for writs, in the courts of common pleas in the Nineteenth judicial district of Pennsylvania, and the practice of the said courts thereon, approved April ninth, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section five of the act in relation to pleading and judgment, voluntary arbitration and additional return days for writs, in the courts of common pleas in the Nineteenth judicial district of Pennsylvania, and the practice of the said courts thereon, approved April ninth, one thousand eight hundred and sixty-eight, be and the same is hereby repealed; and in lieu of, and as a substitute for said fifth section, the following is enacted: That the referee shall receive for his compensation a per diem of five dollars, while engaged in the hearing and consideration of the case, unless the amount shall be increased upon motion by the court, which compensation shall be paid by the county in which the writ was issued and suit docketed, immediately after the filings of the report, by the referee.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 731.

An Act

Providing for the change of lines on Seventh street, in the city of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the mayor and council of the city of Chester shall, in their discretion, have power, by ordinance, to alter and change the lines of Seventh street, between Penn street and Parker street, in said city; and if such change or alteration shall be made, the same shall be noted on the city plot now kept in the mayor's office; and a record thereof, duly certified by the mayor, president and clerk of council, and attested by the seal of the city, shall be deposited with the clerk of the court of quarter sessions of Delaware county, to be filed with the plot of said city now on file in this office.

Mayor and councils may change lines of Seventh street.

Record of change.

SECTION 2. When such change or alteration shall be made, and the record thereof duly noted, certified and deposited as required by section first, the said street shall be ordained and established between the lines so altered or changed, as fully and to all intents and purposes as if it had been originally surveyed and laid out on the plot of the said city between the said lines.

Street to be established with-in new lines.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 732.

An Act

To authorize the Coatesville Market House Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Coatesville Market House Company of the borough of Coatesville, in the county of Chester, be and they are hereby authorized to borrow, in the name and upon the faith, credit and responsibility of said company, such sum or sums of money, not exceeding in the whole the sum of fifteen thousand dollars, as they may deem necessary for the purpose of completing and furnishing their building, and for such other purposes as the president and directors of said company may lawfully direct, and to issue bonds or certificates of indebtedness in the name of the said the Coatesville Market House Company, under the corporate seal, attested by the president and treasurer or secretary of said company, to the purchaser or purchasers of said loan, in such sums as the said

Coatesville Market House Company may borrow money.

May issue bonds

company may desire, and bearing such interest, not exceeding seven per centum per annum, and redeemable at such times as may be agreed upon between the said company and purchasers of said loan.

May borrow
money to re-
deem loan.

SECTION 2. That the said company shall also have power from time to time to borrow moneys in the manner aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the preceding section.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 733.

An Act

To authorize the election of four supervisors in Jenner township, Somerset county, and legalizing the election of the same, of one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the election of township officers for Jenner township, in the county of Somerset, to be held for the year one thousand eight hundred and seventy-one, and each succeeding year thereafter, the qualified electors of the said township shall elect four persons to serve as supervisors of said township, instead of three, as heretofore; and that the election of the same, of one thousand eight hundred and seventy, be and the same is hereby declared legal; said officers to have the same privileges, be subjected to the same restrictions, and entitled to the same compensation as is now provided by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 734.

A Supplement

To an act to allow the qualified electors of Bedford county to vote for or against the sale of the poor house property, et cetera, approved April the thirteenth, one thousand eight hundred and seventy.

WHEREAS, At the election provided for by said act of April thirteenth, one thousand eight hundred and seventy, a very large majority of the qualified electors of Bedford county voting at said elections voted for the sale of said poor house property : Preamble.

And whereas, The court of common pleas of Bedford county appointed, as commissioners to carry out the provisions of said act, three electors who were known to be and are now actively opposed to the sale of the said poor house property and to the purchase of another :

And whereas, The said commissioners have neglected and refused and do still neglect and refuse to purchase other real estate and to sell the present poor house property, as contemplated and directed by said act of the general assembly ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Simon Nycum, Joseph B. Noble, Michael Wertz, Bernard O'Neil, Samuel Schaffer, William W. Barclay and George W. Horn shall be and are hereby appointed commissioners to make sale of the said poor house property and to purchase another, and to do all that is required by said act of April thirteenth, one thousand eight hundred and seventy. Commissioners to sell poor house property and purchase another.

SECTION 2. That it shall be the duty of said commissioners, within sixty days from the passage hereof, to meet and organize and proceed at once to the performance of their duties under this act. Organization.

SECTION 3. That all acts and parts of acts that are hereby supplied, or are inconsistent herewith, be and the same are hereby repealed. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 735.

A Supplement

To an act, entitled "An Act relating to notaries public in Carbon and Wayne counties," approved the fifteenth day of April. Anno Domini one thousand eight hundred and fifty-seven, extending the same to Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act to which this is a supplement be and the same are hereby extended to the county of Cambria.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 736.

An Act

Authorizing the supervisors of Rye township, Perry county, to levy and collect an additional road tax.

WHEREAS, A public road has lately been laid out by order of court, and partly opened from Hartman's mill, in Rye township, to the borough of Marysville, in the county of Perry, and the regular assessment of road taxes being inadequate for the purpose of fully opening and finishing said road, its bridges, culverts, et cetera, in addition to paying for the ordinary repairs of other roads; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of Rye township, Perry county, be and they are hereby authorized and required to assess and collect yearly, for two years, an additional road tax on property taxable for road purposes, of six mills on the dollar, to be applied

to the opening and finishing of the said road, its bridges, culverts, et cetera.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 737.

An Act

To incorporate the Eulalia Division of the Sons of Temperance of Coudersport.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That John M. Hamilton, Arch. F. Jones, H. J. Olmsted, William Knight Jones, Joseph Mann, William Shear, A. Rouns-ville, Arthur B. Mann, M. S. Thompson, William Cyrenus Rennells, S. S. Greenman, H. Clinton Olmsted, Orlando E. Armstrong, and such other persons as may become members of said division, in accordance with its constitution and by-laws, are hereby constituted and declared to be a body political and corporate, by the name, style and title of Eulalia Division of the Sons of Temperance of Coudersport, and by said title shall have perpetual succession, and may hold and enjoy by purchase, devise, gift or bequest, lands, buildings, tenements, goods or chattels, and the same may sell, mortgage or lease, or otherwise dispose of, and may have a common seal: *Provided*, That the clear yearly income of their property shall not exceed one thousand dollars.

Corporators.

Name.

Perpetual succession.

Powers and privileges.

SECTION 2. The object of the said corporation is to promote the cause of temperance within the county of Potter, by the maintenance of the temperance hall in Coudersport, and by aiding the dissemination of truth by lectures and publications.

Object.

SECTION 3. That until the next election of trustees, Joseph Mann, H. J. Olmsted and John M. Hamilton are hereby appointed trustees of the said corporation, with power to lease, manage and control the property of the division, and to enforce the performance of all contracts made with them in the name of the said division, by suit or suits in the proper court, and shall, at the annual meeting for the election of trustees, make a detailed report of all receipts and expenditures.

Trustees.

Powers.

SECTION 4. The corporators herein named, and such other persons as may become members, are hereby authorized to

Annual elections.

elect three trustees annually, on the last Saturday in December, who shall serve for one year, and until their successors are elected, who shall have the same power and authority as the trustees named in the third section of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 738.

An Act

Fixing the time of the commencement of the official term of the district attorney of Centre county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the term of office of the district attorney of Centre county shall commence on the Monday next after the fourth Monday of November next ensuing his election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 739.

An Act

Granting annuity and gratuity to Barney Bigham and Michael Lawyer, soldiers of the war of one thousand eight hundred and twelve, from Adams county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be and is hereby authorized and directed to pay to Barney Bigham and Michal Lawyer, soldiers of the war of one thousand eight hundred and twelve, who served in the battle of North Point, each a gratuity of forty dollars, and an annuity of forty dollars, commencing from the first day of January, Anno Domini one thousand eight hundred and seventy-one, and payable semi-annually: *Provided*, That when the general government provides by law for the payment of pensions to the soldiers of the war of one thousand eight hundred and twelve, the gratuity and pension provided by this act shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 740.

A Further Supplement

To a supplement to an act relating to the sale of certain islands in the Susquehanna, approved April thirteenth, one thousand eight hundred and seventy.

WHEREAS, In a supplement to an act, entitled "An Act for the sale of certain islands in the river Susquehanna," approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, the word "conveys" was improperly used in the eleventh line thereof from the end of the enacting clause, instead of the proper word "surveys," and by reason of such error, and other phraseology therein, the validity of the title to islands taken up under the provisions thereof may come in question; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said word "conveys," so used, shall be construed for the purposes of said supplement to have the same meaning as the word "surveys" would have if used in that connection; and that in all cases where any island or islands have been applied for or taken up under the provisions of said supplement, whether the order of valuation or warrant of survey for the same has issued before or after the passage of said supplement, a good and perfect title to the same shall vest in the person or persons so taking up such islands, notwithstanding

ing the improper use of the word "conveys," or any other phraseology used in said supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 741.

An Act

Supplementary to an act authorizing the laying out of a state road from Brookville, in Jefferson county, by way of the mouth of Little Toby's creek, in Elk county, to Ridgway, Elk county, and for other purposes, providing for the completion of said road.

Preamble.

WHEREAS, But a portion of the road authorized by the act to which this is a supplement has been constructed :

And whereas, The interests of the country require that the same should be opened its entire length ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the state road authorized by the act, approved the sixteenth day of February, one thousand eight hundred and forty-seven, entitled "An Act authorizing the laying out of a state road from Brookville, in Jefferson county, by way of the mouth of Little Toby's creek, in Elk county, to Ridgway, Elk county, and for other purposes," commencing at the point where said state road is intersected by the public road leading to Portland mills, said intersection being in Polk township, Jefferson county; thence by the mouth of Little Toby creek to Ridgway, in Elk county, be and the same is hereby placed under the control of Hiram Carman, George D. Messenger and Horace Little, as commissioners, who shall have power to re-survey, re-locate and construct and maintain the same.

Authority to re-survey and construct portion of state road.

Commissioners.

SECTION 2. That when said road shall have been re-surveyed and re-located, it shall be the duty of said road commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of Elk county, and when so filed said draft and the record thereof shall be legal evidence in all things relating to the same; and said road shall be a public road in the same manner as other roads laid out and opened by the proper township officers.

Duty of commissioners.

SECTION 3. Said road commissioners shall have power, for the purposes aforesaid, to levy, annually, a road tax, not exceeding ten mills on the dollar, based upon the last adjusted valuation, to be levied and collected upon from the unseated lands only in the townships of Ridgway and Spring Creek, in Elk county, and the township of Polk, in Jefferson county.

May levy road tax annually on unseated lands.

SECTION 4. The said road commissioners shall file, in the office of the county commissioners of Elk county, on or before the first day of November of each year, their duplicates of the taxes assessed for the current year; said taxes shall be collected as other road taxes upon unseated lands are collected, and paid over to the said commissioners in the same manner as other road taxes are paid to the proper officers of the township.

Shall file duplicates with commissioners.

SECTION 5. Said road commissioners shall have authority to borrow money not exceeding ten thousand dollars, at any rate of interest not exceeding eight per centum per annum, and to execute their bonds therefor, to be paid out of the taxes provided for in this act.

May borrow money.

SECTION 6. It shall be the duty of the said road commissioners to file in the office of the clerk of the court of quarter sessions of Elk county, on or before the first day of July, in the year eighteen hundred and seventy-two, and in each year thereafter, a statement under oath of one of them, of all bonds which have been issued by them, which have not been redeemed, with the dates when the same will mature, and of all debts contracted which remain unpaid, together with a statement of the funds in their hands, and of the taxes which have been levied and not collected, together with an estimate of the probable amount of funds which will come into their hands during the current year.

Annual statements.

SECTION 7. The court of quarter sessions of the said county of Elk, upon the application of any bondholder or other creditor of said road commissioners, and after notice to said road commissioners, may in its discretion make an order upon the said commissioners, directing them to retain, for the payment of their indebtedness, such amount as the court shall deem necessary, and the said court may enforce said order by attachment.

Power of court.

SECTION 8. Any two of said road commissioners shall be deemed a quorum, and may do anything authorized by this act on the part of said commissioners.

Quorum.

SECTION 9. In case of any vacancy in the board of road commissioners, such vacancy shall be filled by appointment of the court of quarter sessions of Elk county.

Vacancies.

SECTION 10. The said commissioners before entering upon their duties shall file, in the office of the clerk of the court of quarter sessions of Elk, their bond with a sufficient security, to be approved by one of the judges of said court, conditioned for the faithful application of all moneys they shall receive, and for the faithful discharge of their duties.

Commissioners to give bond.

SECTION 11. The powers and authority hereby given to the said road commissioners shall continue eight years and no longer, and after the expiration of their term, the said road shall be taken charge of and maintained by the several town-

Limitation.

ships through which it passes, in the same manner as other public roads shall be maintained in said township.

Accounts.

SECTION 12. The accounts of said road commissioners shall be settled annually by the auditors of Elk county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 742.

An Act

To widen Cedar street, between Elm and Buttonwood streets, in the city of Reading.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common council of the city of Reading shall have power and authority to widen Cedar street, between Elm and Buttonwood streets, in said city, to the width of thirty feet, in the same manner, and with like effect, as though the width of said street between said points had been fixed at thirty feet in the horizontal survey of the said city of Reading.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 743.

A Supplement

To an act, entitled "An Act to extend the boundaries of the city of Erie," approved February twenty-fifth, eighteen hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of that portion of the city of Erie as by the act, entitled "An Act to extend the boundaries of the city of Erie," approved February twenty-fifth, Anno Domini one thousand eight hundred and seventy, was taken from Mill Creek township and annexed to said city, and not built upon or cut up into city lots, shall be designated as the rural or agricultural district of said city of Erie, and all lands within said district shall be assessed as farm lands and rated as such: *Provided*, That whenever any tract of land lying within said district shall be laid out into city lots, and sold as such, then the same shall cease to be rated and assessed as farm lands, and the taxes thereon shall be levied and collected in like manner as on other real estate within said city as is now required by law.

Certain property in Erie city to be assessed as farm land.

Proviso.

SECTION 2. The assessors in said city of Erie shall re-assess said lands situate in said rural or agricultural district, for the year one thousand eight hundred and seventy-one, in accordance with the provisions of this act.

Re-assessment for 1871.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 744.

An Act

To legalize the official acts of Calvin W. Case, a justice of the peace.

WHEREAS, Calvin W. Case, of Jackson township, Luzerne county, supposing that his commission as a justice of the

peace expired on the eleventh day of April, one thousand eight hundred and seventy-one, when in fact it expired on the eleventh day of April, one thousand eight hundred and seventy. has since the said eleventh day of April, one thousand eight hundred and seventy, acted as a justice of the peace; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the official acts of the said Calvin W. Case, since the eleventh day of April, Anno Domini one thousand eight hundred and seventy, be and they are hereby declared to be legal and valid, the same as though he had acted under authority of a proper commission.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twelfth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 745.

An Act

To incorporate the Rock Mount Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

Name.

Perpetual succession.

Powers and privileges.

That Wilson Wright, Samuel Stout and S. Chamberlain, and their associates, or a majority of them, be and they are hereby created a body politic and corporate, by the name, style and title of the Rock Mount Mining Company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving in its corporate name property, real and personal and mixed, and of holding and improving, or disposing of, by sale or otherwise, of all their lands, or any part thereof, interest in or liens thereupon, or the products of the same: *Provided*, Not more than one thousand acres shall be held in the state of Pennsylvania, the same as a natural person, and to obtain therefrom any and all minerals, and other valuable substances, whether by working or opening, leasing or disposing privileges to work, or mine or sell such lands, or any part thereof, and to erect houses and such other buildings, fixtures or works as may properly appertain to said

business, and to use, let, sell, lease or work the same, and to transport and dispose of the proceeds of all such lands, mines and works as they may deem proper; and the stockholders of said company be and they are hereby authorized to change the name of said company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and the treasurer, and attested by the seal of said company. Change of name.

SECTION 2. That the said company shall have power to make such by-laws as they may deem proper to enable them to carry out the objects of the corporation, and the same to amend, alter, add to or repeal at their pleasure: *Provided*, That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock and bonds representing the value of their property, and securing the same upon the property in such form, and subject to such regulations, as they may from time to time prescribe, and to regulate and prescribe in what manner and form their contracts and obligations shall be executed. By-laws.
Seal.
May issue bonds

SECTION 3. That the corporators named in the first section of this act, or a majority of them, shall elect persons to serve as directors, a majority of whom shall constitute a quorum, who shall hold their offices until their successors shall have been elected by the stockholders, in accordance with the by-laws; and that it shall be lawful for said company to establish the necessary offices for the business of the company wherever the business is located. Corporators to
be first directors
Quorum.
Election.
Offices.

SECTION 4. That the said company, for the better prosecution of its business, shall have the same rights, powers and privileges which were conferred upon the Western Oil and Pipe Company, by the the third, fourth and seventh sections of its act of incorporation, approved the twenty-second day of March, one thousand eight hundred and sixty-nine, except that the said Rock Mount Mining Company shall and is hereby authorized to conduct its operations only within the county of Clarion, and in such portions of the county of Venango as lie south or east of the Allegheny river. Additional
powers.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 746.

An Act

To incorporate the North and West Branch Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That L. D. Shoemaker, Benjamin F. Pfouts and Peter Pursile, of Luzerne county; Michael Meylert, of Sullivan county; Benjamin S. Bentley, John B. Beck, George W. Lentz, William Brindle, of Lycoming county; Michael Grove, of Montour county, and William Neal, D. J. Waller, James Masters, John J. M'Henry, Dr. D. H. Montgomery and Robert F. Clark, of Columbia county, or any five of them, are appointed commissioners to open books, receive subscriptions and organize a company, with power to construct a railroad from the borough of Wilkesbarre, in the county of Luzerne, along the south side of the North Branch of the Susquehanna river, to a point opposite the town of Bloomsburg, in the county of Columbia, and thence by a bridge over said river, and by the valley of Little Fishing creek, to the city of Williamsport, by the name, style and title of the North and West Branch Railroad Company, with power to construct a branch from near the town of Bloomsburg, up the valley of Big Fishing creek, to connect with any existing or projected railroad in Sullivan county, with the right to connect with, or cross at grade, any railroad now made, or hereafter to be made, within the counties of Luzerne, Columbia, Montour, Sullivan or Lycoming, with the right to build branches not exceeding ten miles each in length.

Authority to build railroad.

Location of road

Name.

Capital. SECTION 2. The capital stock of said company shall be two millions of dollars, divided into shares of twenty-five dollars each; one dollar on each share to be paid at the time of subscribing, the residue to be paid in instalments as may be required by the directors, with the privilege of increasing the capital stock of said company from time to time, to an amount sufficient to complete said road and provide the same with necessary cars, locomotives, machinery, water stations, depots and whatever is necessary to a proper construction and working of said road.

May borrow money. SECTION 3. That in case the president and directors of said company may deem it necessary, in order to complete and equip said road, they are authorized to borrow a sum of money not to exceed in amount the capital required, and to issue bonds therefor, on the faith of the road, of not less than one hundred dollars each, at a rate of interest not to exceed seven per centum, and to be redeemed at such times as the president and directors may agree upon; said bonds to be secured by a mortgage upon said road, its rolling-stock, real estate, and the franchises of the company.

SECTION 4. Said railroad company shall be empowered to construct a safe and commodious wagon way, in connection with its bridge over the North Branch, and in the event of the commissioners of Columbia county paying, at any time, a sum equal to one-fifth of the cost of said bridge, the said wagon way shall thenceforth be maintained by said company as a free bridge for public use.

May construct wagon way over North Branch.

SECTION 5. Whenever any portion of said road or its branches shall be completed to the extent of five miles, the company shall have full power to use it as such, to all intents and purposes, as far as completed.

Company may use road when five miles are completed.

SECTION 6. The said company shall be entitled to all the privileges conferred upon and subject to all the provisions of an act of assembly, entitled "An Act regulating railroads," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and its several supplements, except so far as the provisions of said act are hereby supplied.

Subject to provisions of general railroad laws.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 747.

An Act

To prohibit the sale of intoxicating liquors, wines, ale and beer, in certain boroughs and townships in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of June, Anno Domini one thousand eight hundred and seventy-one, it shall be unlawful for any person or persons within the boroughs of M'Keesport, Elizabeth and West Elizabeth, and the townships of Mifflin, Jefferson, Versailles, Elizabeth and Lincoln, in the county of Allegheny, to sell or offer for sale any intoxicating liquors, wines, ale or beer; and every person or persons transgressing against this prohibition shall be deemed guilty of a misdemeanor, and upon conviction thereof in the proper court, shall be fined fifty dollars for the first offence, and for each subsequent offence shall be fined one hundred dollars, and be imprisoned thirty days in the county jail: *Provided, That*

brewers and distillers shall not sell in less quantities than one barrel: *Provided further*, That licenses granted in said boroughs and townships, before the passage of this act, shall be held valid, to all intents and purposes, until they expire by limitation; but no further licenses to sell intoxicating liquors shall be granted in said boroughs and townships.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 748.

An Act

To enable the trustees of the proprietors of Hanover township, Luzerne county, to convey certain lands, and to protect the remains of the early settlers therein, and to incorporate the Hanover Cemetery Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the proprietors of Hanover township, Luzerne county, in whom is vested the title to the common burial ground in said Hanover township, are hereby authorized to convey the same to Edward Inman Turner, Washington Lee, Benjamin F. Pfouts, Asabel Blodgett, James Deily, John Lazarus, Thomas Lazarus, Samuel Keithlone, John V. Alexander, Reuben Downing, John Fairchild, Solomon Fairchild, Peter Mill, Samuel Pell, Silas Alexander, Andrew Lee, Christian F. Leader, Charles Garvinger, Samuel G. Turner, Abram Lines, John Nagle, George M. Nagle and Washington Lee, Junior, and their associates, who are hereby constituted a body corporate and politic, with all the rights, privileges and powers incident to such, under the name, style and title of the Hanover Cemetery Company.

Hanover township authorized to convey burial ground.

Corporators of cemetery association.

Name.

Object.

SECTION 2. That the object of this company shall be to preserve the remains of the early settlers of Hanover township, Luzerne county, Pennsylvania, and their decedents, from desecration, to enclose, ornament, regulate and control the common burial ground in Hanover township, in which said remains are buried, and to establish and maintain a respectable place for burial in said township.

SECTION 3. That for the purpose of forever preserving the remains of the early settlers lying in said grave-yard undisturbed, and also protecting the bodies of the dead who may hereafter be deposited therein, the said company shall never either lease, sell or give away, nor in any manner disturb or remove any of the coal or minerals in, under or upon any of said lands, nor shall they allow any one to enter upon any of said lands for the purpose of opening to or removing any of the coal or mineral on said land or any adjoining lands.

Lease, sale or gift of minerals in lands, prohibited.

SECTION 4. That it shall be lawful for said company to acquire by purchase, grant, gift, devise or otherwise, and hold for the purposes herein mentioned, so much land as may be considered necessary to fully carry out the objects of said company: *Provided*, That said company shall set apart a sufficient portion of ground for the free interment of any citizen of said township.

Company may acquire land.

SECTION 5. That it shall be lawful for said company, in pursuance of the objects above set forth, to set apart so much of said burial ground as they may deem advisable for private lots, and to dispose of the same for purposes of burial, upon such terms as may be agreed upon.

May set apart and sell private lots.

SECTION 6. That it shall be lawful for said company to set apart a suitable portion of said ground for public school purposes; also a suitable lot for the erection of a church, which shall be free for the worship of all denominations of christian sects.

May set apart lots for school and church.

SECTION 7. That it shall be lawful for said company to make and establish such rules, regulations and by-laws for the government and maintenance of said cemetery, for the number, duties and conduct of their officers, for elections, notices, fees and charges, and for the entire management of their affairs, as they may deem expedient and advisable.

By-laws.

SECTION 8. That the grounds of said cemetery company shall forever be exempt from all taxes for local, state or general purposes.

Exempt from taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 749.

An Act

Relative to the purchase by the city of Allegheny of so much of any turnpike or plank road as is situated in said city.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

Councils of Allegheny may purchase turnpike and plank roads within city limits.

That whenever the councils of the city of Allegheny shall deem it for the public interest that the said city should control so much of any turnpike or plank road as lies within the limits of said city, and that the same should be freed from toll, then the said councils may direct the city solicitor to institute proceedings therefor, and the said solicitor shall present a petition to the court of quarter sessions setting out the facts; whereupon said court shall appoint three discreet citizens, who shall proceed to view and appraise so much of any turnpike or plank road as lies within the limits of said city, and report to said court what amount shall be paid by said city therefor; said court shall have power to approve, to modify, correct or quash the report of said viewers, or appoint new viewers, with like power to approve, modify, correct or quash their report.

Court to appoint viewers.

Roads purchased to be used as streets.

SECTION 2. That whenever the amount to be paid shall have been finally determined, and the same paid or secured, or tendered to the officers of said turnpike or plank road, then so much thereof as lies within the limits of said city shall pass under the control of said city as a street thereof; and all toll houses shall be removed therefrom outside the city limits.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 750.

A Supplement

To the act, entitled "An Act to authorize the borough of Clearfield to erect water works."

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That the act, entitled "An Act authorizing the borough of Clearfield to erect water works," approved February the twentieth, Anno Domini one thousand eight hundred and seventy-one, shall not authorize the board of water commissioners therein named to commence the construction of said water works, or the creation of any loan therefor, until it shall be so determined by a majority of the qualified electors of the said borough, an at election called for the purpose of determining the question, which election may be ordered by the burgess and town council, on the application in writing of not less twelve of the qualified voters of the said borough; and when such an election is ordered, at least twenty days' notice of such shall be given in the newspapers published in said borough; which election shall be held by the election officers chosen to hold the general elections. Those in favor of commencing the construction of the water works, shall vote a printed or written ticket, labelled on the outside "water," and containing on the inside thereof the words, "for water;" and those who are opposed to commencing the construction of the water works, shall deposit a ticket labelled as aforesaid, and containing on the inside thereof the words, "against water;" and the officers of such election shall procure a box in which to deposit said tickets as they are voted, and the election shall be conducted in the same manner as other elections authorized by law, and frauds punished in the same manner, and at close of said election, said election officers shall carefully count the votes polled for and against commencing the construction of the said water works, and make return to the burgess and town council of said borough; the number of votes polled for and against commencing the construction of the water works shall be filed by the town clerk among the borough records; and if the majority of the votes polled at such election should be in favor of commencing the construction of said water works, then said burgess and town council shall act accordingly; but if the majority of the votes polled as aforesaid should be against it, then nothing further shall be done in the premises until application be made as aforesaid for another election, which election shall be conducted from time to time as hereinbefore provided in this section, until it should be finally decided to proceed with the works: *Provided however,* That such election shall not be held oftener than once in each year, and the expense shall be borne by the borough.

Qualified electors to vote on the construction of works, &c.

Manner of voting.

Subject to the provisions of election laws.

Return of election.

SECTION 2. That the coupon bonds authorized to be issued by the fourth section of the act to which this is a supplement, shall not bear a higher rate of interest than eight per centum per annum, free of tax.

Rate of interest on bonds.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 751.

An Act

Relating to the recorder of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the recorder of the city of Philadelphia shall be provided with a public seal, with which he shall authenticate all his acts, instruments and attestations; on which seal shall be engraved the arms of this commonwealth, and shall have for legend the name, surname and office of the recorder using the same, and the place of his residence.

Recorder of Philadelphia to be provided with seal.

SECTION 2. That the official acts of the recorder in and for the city of Philadelphia, certified to under his respective hand and official seal, shall and may be received in evidence of the facts therein certified, in all suits that now are or hereafter may be depending, without obtaining the certificate of the clerks or prothonotaries of the county court to his official character.

Certificate of official acts may be received in evidence.

SECTION 3. That for such services he shall be allowed a fee of twenty-five cents.

Fee.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 752.

An Act

To obtain possession of real estate by purchasers at coroners', sheriffs' and orphans' court sales within the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any lands or tenements shall be sold within the county of Schuylkill, by virtue of any execution directed to the sheriff or coroner of said county, issued upon any judgment entered upon the record of the court of common

Purchasers at judicial sales may notify tenants to surrender premises

pleas of said county, the purchaser of such estate may, after the acknowledgment of a deed therefor to him by the sheriff or coroner, give notice to the defendant, as whose property the same shall have been sold, or the person or persons in possession of such estate under him, by title derived from him subsequently to the judgment under which the same was sold, and require him or them to surrender the possession to him within three months from the date of such notice.

SECTION 2. If the defendant, or any person or persons in possession under him as aforesaid, shall refuse or neglect to comply with the notice and requisition of the purchaser as aforesaid, such purchaser, or his heirs or assigns, may apply by petition to the court aforesaid, or to the president judge thereof, in vacation, setting forth—

In case of refusal, purchaser may petition court.

First. That he purchased the premises at a sheriff's or coroner's sale.

Second. That the person in possession at the time of such application is the defendant as whose property such real estate was sold, or that he came into possession thereof under him as aforesaid.

Third. That such person in possession had notice as aforesaid of such sale, and was required to give up such estate three months previous to such application.

SECTION 3. If the application as aforesaid shall be verified by the oath or affirmation of the petitioner, or if probable cause to believe the facts therein set forth be otherwise shown, the said court or judge is hereby enjoined and required forthwith to direct a rule to issue to the said defendant, or party or parties in possession as aforesaid, giving at least four days' notice to such defendant, party or parties as aforesaid, to appear before the said court or judge as aforesaid, at a time and place to be specified, to show cause, if any he or they have, why delivery of the possession of such lands or tenements should not be forthwith given to the petitioner.

Duties of court.

SECTION 4. If at the time and place appointed for the hearing of the parties, the defendant or person or persons in possession as aforesaid shall fail to appear, the said court or judge shall require proof, by oath or affirmation, of the due service of such rule upon him or them, and of the manner of such service: *Provided*, That such service shall have been made three days before the return of said rule.

Hearing.

SECTION 5. If the defendant, or other person or persons in possession under him as aforesaid, shall be duly notified as aforesaid, or he or they shall appear, the said court or judge shall proceed to inquire—

Proceedings.

First. Whether the petitioner, or those under whom he claims, has or have become the purchaser of such real estate at a sheriff's or coroner's sale as aforesaid; and a sheriff's or coroner's deed for the same duly acknowledged and certified, shall be full and conclusive evidence of that fact before such court or judge.

Second. Whether the person in possession of such real estate was the defendant in the execution under which such real estate was sold, or came into possession thereof under him as aforesaid.

Third. Whether the person so in possession has had three months' notice of such sale, previous to such application, and was required to give up such estate three months previous to such applications.

Court may award possession.

SECTION 6. Upon the finding of the facts as aforesaid, the said court or judge shall make the rule as aforesaid absolute, and thereupon shall award the possession of such real estate to the petitioner.

Court may assess damages for detention of premises.

SECTION 7. In case of a finding for the petitioner as aforesaid, the said court or judge shall assess such damages as they or he shall think right against such defendant, person or persons in possession, for the unjust detention of the premises, and thereupon the said court or judge shall direct judgment to be entered upon the records of said court of which he is judge, for the damages assessed and reasonable costs; which damages and costs shall be deemed to have accrued by the tortious act and wrongful holding over of the possession of such real estate by the said defendant, or those claiming under him, and shall be adjudged and collected as all other damages sounding in tort are now by existing laws recovered and collected; and such finding and judgment as aforesaid shall be final and conclusive to the parties.

Judgment to be entered.

To be conclusive

Court to issue warrant to sheriff.

SECTION 8. The said court or judge shall thereupon direct a warrant to issue to the sheriff or coroner as aforesaid, commanding said sheriff or coroner forthwith to deliver to the petitioner, his heirs or assigns, full possession of such lands or tenements, and to levy the costs taxed by the said court or judge as well as the damages assessed by the said court or judge as aforesaid.

Certiorari to supreme court not a superse-deas.

SECTION 9. No *certiorari* which may be issued to remove such proceedings to the supreme court shall be a *superse-deas*, or have any effect to prevent or delay the execution of the process aforesaid, or the delivery of the possession agreeably thereto.

Proceedings when parties make oath that they do not hold under defendant.

SECTION 10. If the person or persons in possession of the premises shall make oath or affirmation before said court or judge—

First. That he has not come into possession and does not claim under the defendant in the execution but in his own right; or,

Second. That he has come into possession under title derived to him from the said defendant, before the judgment under which the execution and sale took place, and shall become bound in a recognizance, with one or more sufficient sureties, in the manner hereinafter provided, the said court or judge shall forbear to give the judgment aforesaid.

Summons to be issued to person under whom possession is claimed.

SECTION 11. If the person or persons in possession of the premises shall make oath or affirmation, before said court or judge, that he does not hold the same under the said defendant, but under some other person or persons whom he shall name, the said court or judge shall forthwith direct a summons to issue to such person or persons, requiring him or them to appear before said court or judge at a certain time therein named, not exceeding thirty days thence following; and if at such time the said person or persons shall appear

and make oath or affirmation, that he or they verily believes that he or they are legally entitled to the premises in dispute, and that he or they do not claim under the said defendant, but by a different title, or that he or they claim under the said defendant, by title derived before the judgment aforesaid, and shall enter into recognizance with sureties as aforesaid, in such case, also, the said court or judge shall forbear to give judgment.

Judgment not to be rendered if persons make oath to title.

SECTION 12. The oath or affirmation which shall be administered to such claimant, shall be in the following form, to wit: I do (swear or affirm) that I verily believe that I am legally entitled to hold the premises in dispute against the petitioner; that I do not claim the same by, from or under the defendant, as whose property the same was sold by title to me, subsequently to the rendition of the judgment under which the same was sold, but a different title.

Form of oath.

SECTION 13. The recognizance aforesaid shall be taken in a sum fully sufficient to cover and secure, as well the value of the rents and mesne profits of such lands or tenement which may have, and which may be expected to accrue before the final decision of the said claim, as well as all costs and damages, with condition that he shall appear at the next court of common pleas of said county of Schuylkill, and then and there plead to any declaration in ejectment which may be filed against him, and thereupon proceed to trial in due course of practice; and in case he shall fail therein, that he will deliver up the said premises to the purchaser, and to pay him the full value of the rents or mesne profits of the premises accrued from the time of such purchase.

Recognizances to be taken for appearance at court.

SECTION 14. If such recognizance shall be forfeited, the court or judge shall proceed to give judgment, and cause such real estate to be delivered up to the petitioner, in the manner hereinbefore enjoined and directed.

Judgment, if recognizance be forfeited.

SECTION 15. Purchasers of real estate sold under orders of the orphans' court shall, after confirmation of the sale, and the execution and acknowledgment of the deed therefor, have the right to proceed to obtain possession of the purchased premises, in the same manner as is herein provided, in relation to purchasers at sheriff's or coroner's sale.

Purchasers at orphans' court sales to proceed under this act.

SECTION 16. This act shall apply to all sales made as aforesaid, in which the purchaser shall not have obtained possession of such real estate agreeably to the provisions of this act, notwithstanding any legal proceedings which may have heretofore been instituted for the recovery of the same, and actual delivery not having been obtained of said lands and tenements, to which the petitioner is entitled under the provisions of this act, as shall appear by the judgment and record of the proceedings under this act.

To apply to all sales where purchaser has not obtained possession.

SECTION 17. If any lands or tenements shall be sold upon execution as aforesaid, which, at the time of such sale or afterwards, shall be held or possessed by a tenant or lessee, or person holding or claiming to hold the same under the defendant in such execution, the purchaser of such lands or tenements shall, upon receiving a deed for the same as aforesaid, be deemed the landlord of such tenant, lessee or other

Purchaser to be deemed landlord of leased premises, and may collect rents.

person, and shall have the like remedies to recover any rents subsequently to the acknowledgment of a deed to him as aforesaid, whether such accruing rent may have been paid in advance or not, if paid after the rendition of the judgment on which sale was made, as such defendant might have had if no such sale had been made.

Tenants liable to purchaser after notice.

SECTION 18. If after notice shall be given of such sale as aforesaid, such tenant, lessee or other person shall pay any rent or sum subsequently to such deed and notice, given him as aforesaid, to such defendant, such tenant, lessee or other person so paying shall, nevertheless, be liable to pay the purchaser; and all or any part or parts of the act of assembly, approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, relating to proceedings to obtain possession of real estate purchased at sheriff's, coroner's or orphan court sales, inconsistent with the provisions of this act, be and the same is hereby repealed, so far as the same might or could affect any sales of land made as aforesaid, lying or being within the county of Schuylkill, or the recovery of such possession by proceedings as aforesaid.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 753.

An Act

To authorize the city of Titusville, Crawford county, to grade, pave and curb the streets of said city, construct sewers, elect an auditor, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the common council of said city shall have power, subject to the restrictions and limitations in this act contained, to cause the grading, also paving, and when necessary the repaving, of any street or part of street in said city; also to cause said street or part of street to be set with curb-stone.

Councils may grade, pave and curb streets, &c.

Estimate and plans of public improvements required.

SECTION 2. Before the council shall finally determine to make any such public improvement, they shall cause an estimate thereof to be made, which shall include plans and pro-

file of the grading proposed to be done in connection therewith, and shall, by entry on their minutes, describe the proposed improvement, and designate the portion of the city in which it is to be made; said entry, also, the plans, specifications and estimate of such improvement, shall remain open to public inspection; they shall also cause a notice to be published daily, in one or more daily newspapers printed and of general circulation in the city, during a period of not less than three weeks, which notice shall specify and describe such improvement and the estimated expense thereof, and shall state a time, not less than one week after the expiration of said publication, at which all interested may be heard before the council; at the time appointed the council shall proceed to hear the allegations of those interested, and after hearing the same, shall make such further order in respect to the proposed improvement as they shall deem proper: *Provided*, That if a remonstrance, in writing, against said proposed improvement or kind of improvement, signed by the owners of a majority of the lineal front of the lots or lands within the limits of the same, shall, at or before said hearing, be presented to the council, no further action shall be taken under said notice.

Notice.

Remonstrance of owners against improvements shall prevent action.

SECTION 3. Whenever the owner or owners of not less than two-thirds of the lots or lands, by lineal measure, facing or abutting upon any street or part of street in said city, not less than one square, shall present a petition in writing to the common council for any of the improvements above mentioned, the council shall proceed to comply with the directions contained in said section two, and as fast as practicable, and in the manner and under the limitations in this act contained, shall cause said improvement to be made, and the expense thereof assessed and collected as provided herein for other assessments for street improvements; in case a remonstrance, as provided in said section two, shall be presented as to the kind of pavement proposed by the council in proceedings under this section, it shall be binding upon the council.

On petition of two-thirds of owners, councils shall make improvements.

Assessment of expenses.

SECTION 4. The common council shall have power to cause the streets and parts thereof thus improved to be kept in repair, and also the area of the intersections of streets to be paved, and said intersections when necessary re-paved and kept in repair, at the expense of the city at large, and without complying with the special provisions of section two of this act.

Streets to be kept in repair at expense of city

SECTION 5. The ordinance or ordinances, for any of the improvements mentioned in this act, shall be passed by a majority of all the members of council elected, upon the calling of the yeas and nays, which shall be recorded, and except for the purpose of ordinary repairs, after three readings, the last of which shall take place at least one week after the others, and shall be presented to the mayor for his approval, under the regulations specified in section seven of the original charter of said city.

Vote on ordinances for improvement to be recorded.

SECTION 6. In case the owner of any lot or lands in said city shall consider himself injured by any of the proposed public improvements in this act mentioned, the same proceed-

Claims for damages by owners, &c.

ing shall be had for ascertaining any such alleged damages as are provided for ascertaining damages by reason of the laying out, opening or widening of any street, lane or alley in said city, in the first five sections of the act amendatory of the charter of said city, approved April thirteenth, eighteen hundred and sixty-nine, except as to the special mode therein provided for assessing and obtaining payment therefor by the council; the statement therein authorized shall be filed within one week after the expiration of the notice required in section two of this act, and in case no such statement is filed within that time, any claim of damages by reason of such proposed improvement shall be forever barred.

Expense of grading, &c., to be assessed on lots.

SECTION 7. The said council shall cause the expense of such grading, paving, repairing and curbing, respectively, to be assessed upon the lots or lands facing or abutting upon such improvement, in proportion to the number of feet front thereof, except the expense of thus grading, paving, re-paving and and keeping in repair the area of intersections of streets, from curb to curb, which shall be borne by the city at large; the cost and expenses of making the estimates provided for in section two, and also the damages which may be allowed under section six of this act, shall be included in the amount so to be assessed as a part of the expense of the improvement.

Assessments on property for expenses of improvements, relative to.

SECTION 8. Whenever the council shall have determined upon any public improvement mentioned in this act, except those in section four, and as contemplated by this act, and the contract therefor shall have been executed, it shall become the duty of the city surveyor, or such other person as the council shall appoint to perform such duties, upon notification by the council or clerk, in their discretion, to proceed to make an assessment upon all lots or land within the limits so to be improved, of the expense thereof, in proportion to the number of feet front, and in such manner that each lot shall bear its proportion of the expense of such improvement, to the centre of the street, excepting only the area of the intersections of the streets; the said assessors shall make out an assessment roll, in which shall be entered the names of the owners or reputed owners of said lots or lands, a brief description of the property of each, and the amount assessed thereon respectively. The assessment roll shall be open to the inspection and examination of all parties interested, and any errors in assessment shall be corrected by said assessor, and when completed, the assessment roll shall be certified and sworn to by said assessor, and delivered to the city clerk, who shall report the same to the council at their next meeting.

Payment of assessments.

SECTION 9. Whenever the assessment is confirmed by the council, and the improvement shall have been completed and accepted by them, the assessment roll shall be registered by the clerk and by him delivered to the city treasurer, and shall be due and payable as follows: One-fourth of the amount assessed upon completion of the said improvement and the acceptance of the same by the said council, the remainder (three-fourths) of the same shall be divided into three equal instalments, payable in one, two and three years from the date of

acceptance of such improvement; said annual instalments bearing interest at eight per centum per annum: *Provided*, That any or all of said instalments may be paid, with accrued interest, at any time before due; as said instalments mature respectively, the said treasurer shall deliver a duplicate thereof to the city collector, who shall thereupon give notice, by publication, at least fifteen days, in one or more of the daily newspapers printed and of general circulation in said city, fixing a time, not less than twenty days nor more thirty days from the expiration of said publication, within which said assessment shall be payable to him at his office, and that five per centum penalty will be added thereto after that date; he shall, also, during the time of said publication, serve, or cause to be served, a written or printed notice to the same effect upon each owner, or in case of non-residence, upon his agent; if any to be found within the city, by personal service or by leaving the same at his residence with an adult member of the family; if any of said instalments remain unpaid at the expiration of the time named in said notice, a penalty of five per centum shall be added to them respectively, and collected therewith by the city collector, who shall proceed to collect the same by levy and sale of goods and chattels, in the manner provided in section six of the original charter of said city; at the end of sixty days after said five per centum penalty attaches, the collector shall make return, under oath, of all not collected, to the city treasurer, who shall proceed immediately to collect the same, with costs, by proceedings or suit in the court of common pleas of the county, in which the city shall be plaintiff and the tax-payer defendant, by the name of owner or reputed owner, in the same manner as in suits of *scire facias* upon mortgage; in taking judgment thereon, a penalty of fifteen per centum upon the registered amount of the said assessment shall be included therein; a copy of said registry, embracing assessments thus unpaid, certified by the said clerk and filed in the office of the prothonotary of said court, in said suit or proceedings, shall be sufficient to warrant a judgment for want of affidavit of defence, and the said lots and lands may be sold on said proceedings, though aliened by the owner for value in the meantime; the said assessment shall take effect as a lien upon the property against which the same shall be thus assessed at the time of said registry by the city clerk, and continue till paid or otherwise legally discharged; the said collector shall be entitled to receive such compensation for his services herein as shall be authorized by the council, not exceeding one per cent. upon all sums paid to or collected by him before said five per centum penalty attaches as above, and not exceeding four per centum upon all sums collected by him thereafter; in case of absence or inability of the collector to act, the treasurer, unless otherwise ordered by the council, shall discharge the duties herein assigned to the collector; whenever any of said improvements embrace more than one square, the council may, at their discretion, direct said assessment to be made and collected as herein above provided, as the improvement shall be completed and accepted by them, for a section

Proviso.

Collection of assessments.

Penalty.

Proceedings for forcible collection.

Liens.

Compensation of collectors.

Further provisions.

not less than one square at a time; the collector shall, without delay, pay over to the treasurer all moneys received by him under this act, and for failure to faithfully discharge his duties thereunder, shall be liable to the pains and penalties stated and referred to in section six of the original charter of said city; no money collected under or by virtue of any of said assessments shall be applied to any purpose other than paying for the improvement for which the same was specifically assessed.

Council may
construct
sewers.

SECTION 10. The said council shall have power to construct, and when necessary re-construct and keep in repair, main and lateral sewers along any of the streets or public alleys of said city, in the same manner and under same limitations and rights as in this act are provided in reference to grading, paving, re-paving and repair of streets, except that as to said sewers the remonstrance mentioned in section two shall not, if presented, be necessarily binding upon the council; and the same proceeding shall be had for assessment and collection of the expense thereof including damages, if any allowed, under section six, and the penalties herein above provided, except that the council shall have power to cause a portion of said expense and damages to be paid by the city at large, whenever in their opinion the just equalization of burdens and benefits arising therefrom shall require it; and the remainder, in such cases, and the entire amount in all other cases, shall be assessed, either according to the feet front or according to benefits, as they shall deem most equitable in each particular case; and the same shall be proceeded with, collected and enforced as is in this act provided as to the assessments for pavements.

Proceedings
when cost of im-
provements ex-
ceed \$300.

SECTION 11. Whenever the council shall order or make any improvement or repairs, provided for in this act, the cost of which will exceed three hundred dollars, they shall proceed as follows: First, they shall advertise for bids for a period not less than three weeks, in one or more daily newspapers, printed and of general circulation in said city; second, the bids shall be filed with the clerk, sealed up by twelve o'clock at noon on the last day, as stated in the advertisement; third, the bids shall be opened at the next regular meeting of the council and publicly read by the clerk and filed; fourth, each bid shall contain the full name of every person interested in the same, and be accompanied by a sufficient guarantee of some disinterested person, that if the bid is accepted a contract will be entered into, and the performance of it properly secured; fifth, if the work bid for embraces both labor and material, each shall be separately stated, with the price thereof; sixth, none but the lowest responsible bid shall be accepted, when such bids are for the labor or material separately; but the council may, at their discretion, reject all bids, or at their discretion, accept any bid for both labor and material, which shall be the lowest aggregate of such improvement or repairs; seventh, the contract shall be between the corporation and bidder; eighth, if two or more bids are equal in the whole or in any part thereof, and are lower than any others, either may be accepted, but

in no case shall the work be divided between them; ninth, when there is good reason to believe there is any collusion or combination among the bidders or any of them, the bids of those concerned therein shall be rejected; tenth, no contract shall be let at a price greater than the said estimated cost of the improvement.

SECTION 12. In providing means for payment for the improvements contemplated by this act, it shall be lawful for the council to cause to be issued bonds, with or without coupons, for amounts not exceeding three-fourths the cost thereof, upon interest not exceeding eight per centum per annum, payable semi-annually, at the office of the treasurer in said city, and in case of grading, paving or re-paving on time, not exceeding three years; and in case of sewers on time, not exceeding ten years; said bonds shall be free from all taxes except state taxes; and in no case shall said council directly or indirectly sell, negotiate, or in any manner dispose of the same at less than par; they shall be signed by the mayor, approved and countersigned by the auditor, attested by the president of the council, sealed with the city seal, and when thus executed shall be binding and obligatory upon the corporation; said bonds shall specify respectively for what they are issued; the bonds so issued under and in accordance with this act, shall not be affected or limited by the amount of indebtedness of said city, now allowed by law.

Council may issue bonds.

Limit.

Exempt from local taxes.

SECTION 13. On the first Tuesday of May next, and also at the regular election of the city officers, in the year eighteen hundred and seventy-four, and every third year thereafter, a resident elector of said city shall be elected by the qualified voters thereof as city auditor, whose term of office shall commence upon the filing and approval of a sufficient bond, with one or more sufficient surety or sureties, and continue in office until his successor is elected and qualified; the said auditor, before entering upon his official duties, shall give bond, with one or more sufficient sureties, to be approved by the mayor, in the penal sum ten thousand dollars, and conditioned for the faithful discharge of the duties of his office, and for the surrender to his successor of all books, papers, vouchers, instruments, rights and property pertaining or belonging thereto; the said auditor may be removed for any official misconduct, after hearing by the court of common pleas of the said county; and in case of vacancy in said office by death, removal or inability to perform the duties of the said office, the court of common pleas of the said county may appoint a proper person to fill the vacancy; it shall be the duty of said auditors to approve and countersign all bonds hereafter issued by the councils or school directors, pledging the faith and credit of the city, and no city bond shall be valid without his endorsement, and also register all such city bonds in a book, to be kept for such purpose, and to receive all vouchers, accounts and demands against the city, which have been allowed by the councils, examine them in detail, file and number them in the order of their allowance, register them with the amount allowed for each voucher and date of allowance in the same order in a proper book provided for

City auditor.

To give bond.

Duties.

Rejected vouchers, relative to, such purpose by the council; if he should doubt their correctness or validity, he shall register them in a separate list, and return them to the council, with his objections in writing; in case the same shall thereafter be allowed by a vote of a majority of the members of the council elected, and not otherwise, the said vouchers, together with the action of the council and the objections of the auditor, all in writing, shall be returned to the auditor, who shall, within ten days thereafter, if his objections be not removed by action of council, transmit the said voucher, with his objections to the action of the council, together with the action of the council thereon, to the court of common pleas of the said county, if in session, or to the law judge in vacation, for decision; and it shall be the duty of the said court or judge in vacation to hear and determine the question in dispute, without unnecessary delay, which decision of the court or judge in vacation shall be conclusive; whenever any claim shall be ordered paid by the council, and a warrant therefor shall be drawn by the clerk upon the treasurer, it shall be the duty of the auditor, if he approve it, upon the account or claim being properly discharged, in writing, to countersign and register said warrant; the clerk of councils shall also register all claims which shall thus be ordered paid, and note the issuing of the warrant for the payment thereof; and no warrant for the payment of any claim on the city shall be paid by the treasurer, unless it shall have been approved by the auditor; it shall be the duty of the auditor to keep a complete set of books, exhibiting the financial condition of the city in its various departments and funds, its resources and liabilities, with a proper classification thereof, and when any fund or appropriation has been exhausted by warrants already drawn thereon, he shall advise the council thereof at their next meeting; he shall also keep such an account of all bonds, notes, mortgages, leases, rents, interest, taxes, assessments and all other moneys, receivable or payable, and of all property, real, personal and mixed, belonging to the city, that the financial condition of the city and state of each fund and department thereof, that all property of the city may at any time be known to his office; the same duties and directions in this section stated, as to said city and its bonds, accounts, claims, property and affairs, and in respect to the council, clerk, treasurer and auditor, shall apply to and be carried out in the same manner, by and in reference to the board of school directors of said city, their clerk and treasurer and said auditor, and embrace, in like manner, their bonds, accounts, claims, property and affairs, so far as in the nature of the case applicable; it shall also be the duty of the said auditor, annually, on the first Monday of April, to make out and publish, in one or more of the daily newspapers printed and of general circulation in said city, over his own certificate and name, a complete statement of the financial condition of said city, and on the third Monday of June, in each year, also make a complete statement of the financial condition of the school board of the said city, which shall show the entire indebtedness of each for all purposes; to enable said auditor to perform his duties in this act

prescribed, the board officers and persons above named shall furnish to him, upon request, such inspection of books, papers, vouchers, accounts, statements and instruments and copies as shall be necessary therefor; and the said auditor shall have power to issue subpoenas for persons and papers, and to administer oaths and affirmations, and such other powers as are given by law to the county auditors of Crawford, so far as necessary to accomplish the above purposes; and the said auditor shall receive in full compensation for his services under this act, such sum as shall be allowed by the council, not less than one thousand dollars nor more than two thousand dollars, annually, and shall hold no other city office during his term as auditor; and no member of the council shall be eligible to the office of auditor for two years after his term of office as councilman shall expire; the council shall provide a suitable and convenient room or office for said auditor, and also provide for his use all the necessary blank books and stationery, at the expense of the city; appeals may be taken from the decision of the auditor, within twenty days after final action, to the court of common pleas, by any citizen or citizens, or by the councils, or any number of members of the council; but no money shall be drawn from the city treasury to pay costs or expenses on appeals, and no money shall be drawn from the treasury for any purpose, unless previously appropriated by ordinance: *Provided*, That the bonds mentioned in section twelve of this act, for paving and sewerage, shall not be issued except in cases when owners or reputed owners or agents refuse or neglect to pay for improvements of streets, by paving or sewerage, as equitably assessed, as provided for in this act, at the time of payment for said improvement, fixed by councils in their contract with the contractor for such improvements.

Auditor may subpoena witnesses and administer oaths.

Compensation.

Office.

Provido.

SECTION 14. Any street commissioner of said city hereafter appointed, shall, before entering upon his office, give bond for the faithful discharge of his duties, with sureties, to the satisfaction of the council, in a penal sum not less than five thousand dollars.

Street commissioner to give bond.

SECTION 15. Before any of the improvements contemplated in this act, except repairs, shall be commenced, the common council shall employ the consulting engineer of one of the leading cities of the United States, who, in connection with the city surveyor, shall, with the approval of the council, establish permanent grades for sewerage and pavements in said city.

Consulting engineer to be employed.

SECTION 16. That all laws and acts or parts thereof, contrary to or inconsistent with this act, be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 754.

An Act

Providing for the erection of a poor house in the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the electors of the borough of Kittanning, and of the townships of Manor, Valley and West Franklin, in the county of Armstrong, and of such other boroughs and townships in said county as may desire to join in the purposes of this act, are hereby authorized to elect one person from each of such districts, to be called a poor house commissioner, at the same time and place, and in the same manner, as inspectors of elections, and upon the same notice: *Provided,* That no person shall be held or treated as so elected from any other district than said borough or townships named, or either of them, unless a majority of the voters in his district shall have voted at such election for said office.

SECTION 2. That every such person so elected shall be notified in the same manner as inspectors, and the returns of his said election shall be made and entered of record in like manner; and they shall hold their offices respectively for the term of two years, if necessary, from the date of their said election, and until the qualification of the directors hereinafter mentioned; they shall receive for their services the sum of two dollars per day each, for every day necessarily employed by them in and about the business of their office.

SECTION 3. Said commissioners shall meet at the court house in the borough of Kittanning, on the — day of —, Anno Domini one thousand eight hundred and seventy —, and take an oath of office, and be organized into a board, to be called the board of poor house commissioners, of which, as well as their other business, they shall keep regular minutes and accounts, and at the termination of their office and business, shall hand the same, with all their official books and papers, over to the directors hereinafter mentioned.

SECTION 4. That they shall purchase a suitable place for the accommodation of the paupers of the districts represented by said commissioners, the title thereof to be taken in the named directors of the poor of the county of Armstrong, and their successors and assigns, and shall cause to be erected and placed thereon all necessary buildings and other improvements for that purpose, and shall cause the same to be furnished with the necessary tools, implements, furniture, and so forth: *Provided,* That such place shall not exceed in quantity one hundred acres of land.

SECTION 5. To enable them more promptly to execute said purpose, they are hereby authorized to borrow money at a rate of interest not exceeding seven and three-tenths per centum,

Borough of Kittanning, and other boroughs and townships, authorized to elect commissioners.

Providso.

Term of commissioners.

Compensation.

Meeting of commissioners.

Organization.

May purchase property, erect buildings, &c.

Providso.

May borrow money.

payable semi-annually, free of taxes for local purposes, and payable at such times and places, and in such manner, as shall be agreed upon with the lender.

SECTION 6. They shall secure the payment of all such money with the interest aforesaid, by the issue of bonds to such lenders, in the name of the directors of the poor of the county of Armstrong. May issue bonds

SECTION 7. When the said commissioners shall have prepared said place for the accommodation of the persons aforesaid, they shall meet on the premises at a time to be by them fixed, and of which all the members shall have notice, and shall appoint three directors of the poor and a warden, all of whom shall serve until the next general election on the second Tuesday of October then next ensuing, and until their successors shall be duly qualified; and thereupon the said directors and warden shall be notified of their said appointment within five days thereafter. May appoint directors of the poor and warden.
Term.

SECTION 8. Within ten days after such notice, said appointees shall severally make and subscribe an affidavit to perform the duties of their respective offices with fidelity, which affidavit shall be entered at length in their minutes; and the said appointees shall immediately after being so qualified, organize into a board for the election of one person as president, and another as secretary, and another as treasurer; and thenceforth the said office of poor house commissioner shall cease. Persons appointed to take oath and organize within ten days.

SECTION 9. If any vacancy by death, removal or otherwise shall occur in such board of commissioners before the expiration of said office, or if any person elected thereto shall be or become legally incapable of serving in such office, then the other or others of such commissioners shall fill the vacancy or supply the office by appointment, till the first election thereafter for township or general officers, when the same shall be supplied by the electors of the district represented by him. Vacancies.

SECTION 10. Vacancies or legal incapacity in the board of directors shall be supplied or remedied in like manner. Vacancies in board of directors.

SECTION 11. The treasurer of said board shall give bond to the said board in the sum of five thousand dollars, with one or more sufficient sureties, to be approved by said board, conditioned for the faithful performance of his duties, and that he will well and truly account for and pay over, according to the orders of the board, all moneys which may come under his control by virtue of his said office. Treasurer shall give bond.

SECTION 12. The warden shall also give bond in the sum of three thousand dollars to said board, conditioned for the faithful performance of his duties, and that he will well and truly account for and deliver, according to the orders of said board, all property and funds which may come into his hands or under his control by virtue of his said office. Warden.

SECTION 13. On the second Tuesday of October after the appointment of said directors and warden as aforesaid, the electors of said district shall elect three persons as directors of the poor, one of whom shall serve for three years, one for two years, and one for one year; and thereafter annually, one Time and manner of electing directors.

- person shall be elected to said office to serve for three years ; and whenever and as often as the office aforesaid shall become vacant by death, resignation or otherwise, or the person elected shall be or become legally incapable of exercising the duties of the office, such vacancy or incapacity shall be supplied by the remainder of the directors till the next regular election, when the same shall be supplied for the remainder of the term of such person by election.
- Vacancies.**
- Annual meeting.** SECTION 14. Directors so elected shall meet annually at the poor house, on the first Monday of November next ensuing said election, at one o'clock P. M., and be qualified and organized, and appoint a warden in the same manner as the directors or warden are appointed by the commissioners aforesaid, and shall in like manner and amounts obtain bonds of their treasurer and warden ; they, as well as the directors appointed, shall also cause accurate minutes and accounts to be kept of all their proceedings ; they shall have power to make all needful rules, regulations and by-laws, not inconsistent with the laws of the state, for their own government and for the management of the poor house premises, and of its occupants and inmates, and for the guidance and government of the warden, and relative to the admission and discharge of paupers, and to change, amend and repeal the same at will.
- Organization.**
- By-laws.**
- Directors of the poor, incorporated.** SECTION 15. The said directors of the poor of the county of Armstrong, by that name, shall be a body politic and corporate in law, having power to sue and be sued, plead and be impleaded, in all courts of law or equity ; the legal title, charge and possession of all the said poor house premises, and all the personalty of whatever kind thereto appertaining, shall be vested in them and their successors.
- To have custody of paupers.** SECTION 16. They shall have the legal custody of all persons who may be or become paupers in the said districts, and shall have and exercise all the powers, duties and authorities of overseers of the poor for such districts, and relative to all such persons under existing laws.
- Payment of bonds and assessment of taxes.** SECTION 17. They shall provide for the payment of the bonds and interest thereon aforesaid, by the assessment and collection of sufficient taxes in said districts, and for the maintenance and support of said paupers on said poor house premises.
- Taxation shall be uniform.** SECTION 18. The rate of taxation for the payment of said bonds and interest shall be uniform on all said districts ; but the vote of taxation, if any, for the maintenance and support of said paupers, shall be proportioned to the number and expense of the paupers maintained for such district ; and they shall not be required to obtain the consent or approval of any justices of the peace to any assessment which they may make, nor to join with the supervisors of any township in the assessment of any tax or the appointment of any collector.
- Collectors.** SECTION 19. They shall appoint annually in each district some suitable person as collector of poor taxes, who shall give bond, with surety, to be approved by them, in double the amount of the tax assessed ; but no such appointment

shall be necessary when no assessment shall have been made of poor rates.

SECTION 20. Orders for relief shall not be granted by justices of the peace to any person, as a pauper, chargeable on any of said districts, without the affidavit of some credible person, stating the facts on which such application is founded, and which affidavit shall accompany every such order when issued: *Provided however*, That this section shall not hinder the said directors of the poor from granting relief in extreme or temporary cases, as heretofore allowed to overseers of the poor under existing laws.

Orders for relief.

Proviso.

SECTION 21. No local tax shall be assessed against any of the said poor house property, whether real or personal.

Poor house property exempt from local tax.

SECTION 22. All assessments of taxes shall be made by said board of directors on or before the first day of April in each year.

Assessments.

SECTION 23. As soon as it conveniently can be done, all paupers chargeable to the said districts shall be removed to said poor house, and placed in charge of the warden, whose duty it shall be to take care thereof, and provide for them, and perform such other duties as shall be required of him by the board of directors.

Duty of warden.

SECTION 24. Special provision shall be made on said premises for the care of such insane paupers as shall require restraint or confinement.

Insane paupers.

SECTION 25. The directors appointed by virtue of this act shall, in all respects, perform the duties and be subject to the liabilities of those who may be elected by virtue hereof.

Liabilities and duties of directors appointed by this act.

SECTION 26. Until directors shall be appointed and qualified by virtue of this act, the legal custody and possession of all the property herein mentioned shall be vested in said poor house commissioners, who shall, in the name of their board, have power to sue and be sued in relation thereto, both at law and in equity.

Until directors are qualified commissioners shall have full powers.

SECTION 27. At the first election for directors as aforesaid, the said districts shall elect three persons for auditors, one to serve for three years, one for two years, and one for one year, and annually thereafter, one to serve for three years, whose duty it shall be annually to examine and audit the accounts of said directors, treasurer and warden, and they shall enter a full statement thereof in the account books of the said treasurer; they shall each receive the sum of two dollars per day for their services.

Election of auditors.

SECTION 28. They shall meet annually on the poor house premises, at one o'clock P. M., on the first Monday of November, for the purpose of auditing said accounts, and shall, before proceeding to their said duties, take and subscribe an affidavit to perform the duties of their office with fidelity.

Meeting of auditors.

SECTION 29. Vacancies and legal disabilities in the office of auditor shall be supplied as in the case of directors.

Vacancies.

SECTION 30. Commissioners, directors and auditors, appointed or elected by virtue of this act, shall be at the time of their election or appointment, and during their continuance in such office, legal electors in some one of the said districts.

Commissioners &c., to be legal electors.

Auditors may publish financial statements. SECTION 31. The said auditors may, if they shall see cause, publish a statement of the accounts, finances and operations of said directors, treasurer and warden.

Accounts of appointed officers to be audited separately. SECTION 32. They shall audit the accounts of the directors, treasurer and warden first appointed, separate from the accounts of those who shall have been elected.

Accounts of commissioners. SECTION 33. They shall also audit the accounts of the poor house commissioners, and make a separate statement thereof.

Compensation of directors, &c. SECTION 34. The said directors shall be paid two dollars per day for every day necessarily employed by them in the duties of their office; and the said warden shall be paid such salary as the said directors shall allow.

To be paid out of poor house treasury. SECTION 35. The said commissioners, directors, warden and auditors shall be paid out of any funds in the treasury thereof.

Commissioners may assess taxes. SECTION 36. The said poor house commissioners shall have power to assess a tax, and collect or cause to be collected in the same manner as township poor taxes are collected, for the purpose of purchasing such place, and erection and furnishing such buildings as are provided for in this act; any balance of said taxes, whether collected or uncollected, with all the minutes and account, shall be handed over to their successors, the first board of directors.

Directors required to examine paupers applying for admittance. SECTION 37. That it shall be the duty of said directors, or any one of them, to examine or re-examine the claims of every person to be admitted as a pauper in said poor house, and to accept or reject such person as to them or him the facts should seem to require; and all such decisions shall be entered in the minutes of said directors, and any person or persons aggrieved thereby, shall have the right of appeal therefrom, as if the same had been decided by two justices of the peace, and the method of granting orders by two justices of peace to persons in said districts, are hereby repealed.

Devises and bequests. SECTION 38. That all devises and bequests, by will or donation, made to said corporation, shall be deemed valid. The said corporation, in its name, is hereby authorized to invest said moneys, and to sell and convey and deliver any real estate or other property, and forthwith to invest the funds thus realized, by safe and proper security; the interest thereon to be applied for the purposes intended by said corporation. The funds thus created not to be lessened or reduced.

Investments.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 755.

A Supplement

To an act incorporating the Manheim and Lancaster Plank Road or Turnpike Company, now the Manheim and Lancaster Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the same rates of toll, with privilege to collect in the same way that is authorized by the charter to the Lancaster and Fruitville Turnpike Company, from persons traveling over the same, be and is hereby extended and given to the Manheim and Lancaster Turnpike Company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 756.

An Act

To enable the supervisors of Shirley and Tell, in the county of Huntingdon, to increase the rate of assessment in said township and to make a certain road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of making and completing the public road lately laid out by order of the court of quarter sessions of Huntingdon county, from the residence of Thomas Morrison, in Shirley township, to the mill of Richard Silverthorne, in Tell township, the supervisors of the said townships of Shirley and Tell are hereby respectively authorized to lay a rate of assessment, not exceeding two cents on the dollar, upon real and personal estate, offices, trades and occupations

during each and every year, until the said road is fully completed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 757.

An Act

Authorizing and requiring the school directors of Salem township, Luzerne county, to erect a school building, and borrow money and issue bonds for the same.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

School directors authorized to borrow money.

Limit.

That the school directors of the township of Salem, in the county of Luzerne, are hereby authorized to borrow, upon the credit of said township, such sum or sums of money as may be necessary, not exceeding six thousand dollars, on the credit of said township, for the erection of a suitable building for school purposes, at or near the village of Beach Haven, in said township of Salem.

May issue bonds

Rate of Interest.

Exempt from taxation.

May sell school property.

SECTION 2. That said school directors be and they are hereby authorized to make and issue bonds, with or without interest coupons attached, for the payment of which the said township is hereby pledged for the amount they borrow, not exceeding the sum of six thousand dollars, and at a rate of interest not exceeding seven per centum, payable semi-annually, redeemable at any time not exceeding ten years from the date of bond; said bonds to be exempt from all taxation under the laws of this commonwealth, except for state purposes.

SECTION 3. That the said directors are hereby authorized to sell the school property now owned by said township, in the said village, to the highest bidder at public sale, and to apply the proceeds to the erection of said new house.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 758.

An Act

To authorize the school directors of Neville township, in the county of Allegheny, to borrow money and to issue bonds therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Neville township, in the county of Allegheny, are hereby authorized and empowered to borrow any sum or sums of money not exceeding one thousand dollars, and to issue bonds and securities therefor, at such rate of interest as shall be determined by said school directors, not exceeding eight per centum per annum; and the said school directors and their successors are hereby authorized to levy and collect annually, for the purpose of re-paying said loan, an amount of money not to exceed ten mills on the county valuation of the property in said township, until said loan is paid and not thereafter.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 759.

An Act

Conferring powers upon the Pit-Hole Valley railway, organized under the provisions of the act of April eighth, eighteen hundred and sixty-one, entitled "An Act concerning the sale of railroads, canals, turnpikes, bridges and plank roads."

WHEREAS, So much of the Oil City and Pit-Hole Branch railroad, of the Clarion Land and Improvement Company, as was located between Oleopolis and Pit-Hole City, in the county of Venango, was, upon process issued out of the court of common pleas of said county to the November term, Anno Domini eighteen hundred and seventy, sold by the sheriff of said county, and purchased by Hon. John A. Dale and others, and afterwards duly organized under the provisions of the first section of the act of April eighth, eighteen hundred and sixty-one, entitled "An Act concerning the sale of railroads, canals, turnpikes, bridges and plank roads :"

And whereas, Said purchasers and owners have since managed and operated said road, and are still operating the same, under the name and style of the Pit-Hole Valley railway; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said Pit-Hole Valley railway, organized as aforesaid, shall have power to run, manage and operate said railroad as fully as though the said railroad had been constructed by such corporation, under the provisions of an enactment of the general assembly of this commonwealth, authorizing them so to do, and shall have the powers and privileges, and be subject to the duties and liabilities contained in the act, entitled "An Act regulating railroad companies," and its supplements, approved February nineteenth, Anno Domini eighteen hundred and forty-nine: *Provided*, That nothing in this bill shall be so construed as in any way, either directly or by implication, to affect the rights of any of the parties claiming the funds arising from said sale and now in the court of common pleas of Venango county for distribution.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 760.

A Further Supplement

To an act, entitled "An Act concerning streets and sewers in the city of Pittsburg."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the court of quarter sessions, within thirty days after the passage of this act, to appoint three discreet freeholders of the city of Pittsburg, as viewers of street improvements in said city, to serve for such term as said court shall designate; and said court shall have power to remove said commissioners, or any of them, at any time, and to fill all vacancies which may occur by death, resignation, removal or otherwise.

SECTION 2. Whenever it shall appear to the court that any

Quarter sessions court to appoint viewers of street improvements.

of said viewers is interested in any improvement for which an assessment is to be made, or from any other cause is unable to serve, it shall be the duty of the court to appoint a disinterested freeholder of said city to act in his stead in making the assessment in said case.

When viewers are interested to appoint others.

SECTION 3. Said viewers shall, before entering upon the duties of their appointment, be duly sworn to faithfully, honestly and impartially discharge the duties thereof so long as they may severally act as such; and when so qualified shall perform all the duties imposed upon and required of viewers, appraisers and assessors by the act to which this is a supplement, and the various supplements thereto, and exercise all the powers conferred upon them in the same manner.

Viewers to be sworn.

Duties.

SECTION 4. Said viewers shall receive, as compensation for their services, the sum of five dollars for each day employed in the discharge of the duties of their appointment, to be paid from the city treasury out of such fund as council may direct, upon the certificate of the city engineer, approved by the street or road committee, as the case may be; and the pay of viewers in each case, with other incidental expenses, shall be estimated by the viewers, added to the damages awarded, or cost of construction, and assessed as part thereof.

Compensation.

How paid.

SECTION 5. Whenever any report of viewers shall have been finally acted upon by council, and approved by them, it shall be the duty of the city engineer to give notice of the fact by publication in the papers authorized to do the city printing, for three consecutive days; and their action shall be final and conclusive, unless an appeal shall be filed in the court of quarter sessions within ten days after the first publication of said notice.

Report of viewers.

Notice.

Appeal.

SECTION 6. Whenever an appeal shall be taken from any report of viewers, it shall be the duty of the appellant to file, with his petition, a clear and succinct statement and specification of each and every ground of objection to said report, and upon hearing thereof all other objections shall be regarded as waived, and no other shall be considered unless further exceptions be filed by special leave of court; said appellant shall notify the city attorney of the time of making the application, and furnish him with a copy of the petition and specification of objections; if upon such application the court shall be of opinion that the same should be considered, they shall direct that the same be filed, and that an order be issued to the clerks of councils, directing them to certify and return to the court all the papers and proceedings in the case; and thereupon said court shall take such action in the premises as they may think right and proper, and shall have power to approve, to modify, correct and approve said report, or to quash the proceedings; to appoint new viewers, or refer the proceedings to the same viewers, with like power to approve, modify, correct and approve their report, or quash the proceedings; and in all cases the court shall direct who shall pay the costs of the appeal; the city of Pittsburg, or any party interested, shall have the right of appeal to the supreme court from the final decision of said court of quarter sessions, upon rulings of any question of law which may have been submitted to said

Proceedings on appeal.

Court may modify, correct, approve, report or quash proceedings.

Appeal to supreme court.

Proviso. court in writing, and have the record removed to the supreme court for final adjudication: *Provided*, The suit of appeal shall be specially allowed by one of the judges of the supreme court, upon application made within twenty days after the final decision of said court of quarter sessions.

Assessments to bear interest. SECTION 7. All assessments of damages for opening or widening streets, lanes and alleys in said city, and the assessments for the payment of the same, shall bear interest from the date of the final approval of the report; all assessments of damages by change of grade of any street, lane or alley, and the assessments for the payment of the same, shall bear interest from the date of the completion of the work; all assessments for the payment of the cost and expenses of constructing sewers or side-walks, for grading, re-grading, paving, re-paving of streets, lanes or alleys, and setting the same with curb-stones, shall bear interest from the date of the completion of the work; and in all cases of sewer assessments heretofore made in which appeals have been taken, and the assessments have not been paid, the assessments shall bear interest from the date of the approval by council; all interest shall be at the rate of seven per centum per annum.

Rate.

Provision concerning buildings on streets about to be opened, &c. SECTION 8. In the matter of opening or widening of streets, lanes or alleys, the viewers shall have the right to recommend that buildings situated partially on the street, lane or alley to be opened or widened, shall be permitted to remain thereon for such time as they may deem proper; and if the report shall be so approved, the owners thereof may continue the said buildings during the time designated; and whenever the report of viewers for the opening or widening of any street, lane or alley shall be finally approved, the same shall become a public highway, and the city authorities may enter upon and open the same for public use, subject to the right of owners to maintain buildings thereon when the proceedings provide therefor during the time designated.

Proceedings to collect liens. SECTION 9. Whenever a lien shall be filed for any assessment made in pursuance of any act of assembly relating to public improvements in the city of Pittsburg, and a *scire facias* issued thereon, it shall not be necessary to file an affidavit of claim, but judgment may be entered thereon upon two *nikils*, or service in default of an appearance or sufficient affidavit of defence; and upon trial of any *scire facias*, the lien filed shall be *prima facie* evidence of the claim, and all matters necessary to sustain said claim which are not denied by said affidavit of defence shall be taken as admitted.

Certificate of assessment to be prima facie evidence in certain cases. SECTION 10. Whenever suit shall be brought before an alderman under the provisions of the act of assembly, entitled "A further supplement to the act concerning streets and sewers in the city of Pittsburg," approved the sixteenth day of April, Anno Domini one thousand eight hundred and seventy, the certificate of assessment, as returned to the city attorney, shall be *prima facie* evidence of the claim; if the writ shall have been returned *non est inventus*, the proceedings may be discontinued, and the claim, with costs, be filed as a lien in the same manner that liens are filed for claims exceeding fifty dollars.

SECTION 11. No appeal shall be taken from the judgment of any alderman in any suit for a municipal claim, unless the defendant shall file an affidavit setting forth specifically and at length the grounds of such appeal, which affidavit shall be returned, with the transcript, and when returned shall be filed in the district court in the municipal lien docket, and proceeded upon as if a lien had been filed and a *scire facias* issued thereon.

Affidavits required in case of appeals.

SECTION 12. Whenever the councils of said city of Pittsburg shall desire to re-grade or re-pave any street, lane or alley, or parts thereof, either with the same or improved kind of paving, and the cost of the original grading or paving was paid by the property holders, it shall be the duty of said councils to refer the petition therefor to the viewers appointed in pursuance of this act, who shall inquire and report to councils whether the improvement is of local or general benefit, or partly local, and if they shall report that it was in whole or in part local benefit, they shall designate the district to be benefited thereby, and the proportion to be paid by the district benefited.

Re-grading and re-paving streets, relative to.

SECTION 13. When the viewers shall have reported to councils, they shall have power to provide by ordinance for the re-grading or re-paving of said streets, lane or alley, or part thereof, and that the cost and expense thereof shall be assessed wholly or partly upon the district designated, in accordance with said report: *Provided*, That whenever an ordinance for the re-grading or re-paving of any street, lane or alley, or part thereof, shall have been passed by councils, an appeal may be taken within ten days thereafter, in the same manner as from the assessment of viewers as hereinbefore provided; and all action under said ordinance shall be suspended until the final order of the court thereon; and said court shall have power to direct such modifications of the action of councils as shall appear just and proper.

On report of viewers, councils may provide for re-paving, &c.

Proviso.

SECTION 14. When any street, lane or alley, or part thereof, shall have been re-graded or re-paved under an ordinance directing a local assessment therefor, the proportion of the cost and expense thereof, which may be ordered to be paid by local assessment, shall be assessed by the viewers appointed under the provisions of this act, upon the property in the district designated, in proportion to the benefits to the said property respectively, in the same manner and subject to all the regulations relating to assessments for damages caused by change of grade of streets, so far as applicable; but no appeal shall be taken except as to the proper distribution of assessments upon the property in the district designated.

Relative to local assessments.

SECTION 15. All acts of assembly, or parts thereof, inconsistent herewith, are hereby repealed, so far as the same conflict with the provisions of this act.

Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 761.

An Act

Authorizing the supervisors of Lower Saucon township, Northampton county, to collect an additional road tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Special tax on zinc ore, authorized.

That in addition to the taxes collectible under existing laws, the owners of zinc ore mines shall from and after the passage of this act pay to the supervisors of Lower Saucon township, Northampton county, for road purposes, one cent for every ton of zinc ore carried with teams over the public roads in said township, which said payments shall be made at the end of every six months after the passage of this act, and in default of payment, the same to be collected as debts of like amount are now by law collectible.

Payment and collection of same.

To be expended for roads over which zinc ore is carried.

SECTION 2. That the tax herein authorized shall be expended under the direction of the township supervisor, on the road or roads over which the said zinc ore is carried.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 762.

A Further Supplement

To an act, entitled "An Act relating to liens of mechanics and others upon buildings," approved June sixteenth, one thousand eight hundred and thirty-six, so far as the same relates to the counties of Bradford and Sullivan.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in the execution of any judgment hereafter obtained on the liens of mechanics and others, under the provisions of an act, entitled "An Act relating to the liens of mechanics and

others upon buildings," approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, and its several supplements, it shall be the duty of the officer having such writ of execution, if so directed by the plaintiff, to sell the property furnished, erected or put up by the plaintiff in the judgment, and the moneys raised by such sale the said officer shall apply on said execution in preference over every other claim or lien; and the purchaser, or purchasers, at such sale of said property, shall have the right to detach and remove the property so purchased, being responsible only for any negligence or wilful injury to the freehold: *Provided*, That this act shall not extend to any other than the claims of mechanics and others for furnishing, erecting or putting up engines, pumps, machinery of all kinds, and fixtures: *And provided further*, The provisions of this act shall only apply to the counties of Bradford and Sullivan.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 763.

An Act

Relative to committing magistrates in the counties of Dauphin and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act it shall be the duty of all the committing magistrates of the counties of Dauphin and Lebanon, upon complaint being made on oath or affirmation of any person or persons, to enter such complaint upon their criminal dockets, with the name, residence and occupation, if any, of all defendants, bail and witnesses in every criminal case, and to return to the district attorney of said counties a true transcript from said docket, within twenty days after the binding over or committal of any defendants charged with felony or other criminal offence: *Provided*, That all cases shall be returned at least ten days previous to the regular sessions of the criminal courts in said counties; and any wilful violation of the requirements of this section is hereby declared a misdemeanor in office, and on

Magistrates to make return of commitments, &c., within twenty days.

Proviso.

conviction hereof, the party so offending shall be fined in a sum not exceeding five hundred dollars.

Repeal.

Proviso.

SECTION 2. That all or any acts of assembly now in force in the counties of Dauphin and Lebanon, conflicting herewith, either in whole or in part, be and the same are hereby repealed: *Provided*, That all cases shall be returned at least twenty days previous to the regular sessions of the criminal courts in said counties; and in all cases where any recognizance is entered into, or defendant committed for trial within twenty days of the commencement of the following sessions of court, the said magistrates are required to return the same within five days after the binding over or committal of such defendant or defendants as heretofore; and any wilful violation of the requirements of this section is hereby declared a misdemeanor in office, and on conviction thereof, the party so offending shall be fined in a sum not exceeding five hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY,

No. 764.

An Act

To incorporate the Bachman Valley Railroad Company.

Commissioners.

Subject to general railroad law

Name.

Location of road

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. W. Eichelberger, C. J. Nourse, B. M. Randolph, J. B. Brieker, Adam Brieker, Abdiel Wentz, Joseph Dillom, Henry C. Schriver, Henry Wirt and D. M. Myers, or any five of them, be and the same are hereby appointed commissioners, under the provisions of the act regulating railroad companies, passed the nineteenth day of February, one thousand eight hundred and forty-nine, with all the powers conferred by said act.

SECTION 2. That the name, style and title of the company, hereby authorized to be incorporated, shall be the Bachman Valley Railroad Company.

SECTION 3. That the said company, when duly organized, is hereby authorized to locate, construct and operate, under the provisions of said act, a railroad running from a point on

the Hanover Branch railroad, in York county, to the Maryland state line, in the direction of Bachman valley.

SECTION 4. That the capital stock of said company is hereby ^{Capital.} authorized to consist of one hundred thousand dollars; and it shall be lawful for said company, upon a vote of the stockholders, at any stated or special meeting convened for that purpose, to increase the capital stock to any amount sufficient to complete the road.

SECTION 5. That the said railroad company may, at any ^{May issue bonds} time, for such sums as they may deem expedient for the construction and equipment of the road hereby authorized to be built, issue bonds therefor, in sums not less than one hundred dollars, payable at such times, on such terms and at such rates of interest as they may deem expedient, and dispose of the same at such rates as they may deem proper; and to se- ^{May mortgage} cure the payment thereof by a mortgage or mortgages upon ^{property, &c.} said railroad, income and property, real and personal, acquired or to be acquired, upon the corporation, franchises and privileges of said company.

SECTION 6. That the time within which said company shall ^{Limitation.} finish and commence to open said road for use shall be three years from the date of the passage of this act; and the said company shall have power to connect their railroad, at its southern terminus, with any railroad they may desire.

SECTION 7. That this act shall take effect from the date of ^{To take effect.} its passage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 765.

An Act

Authorizing the burgess and town council of the borough of St. Clair, in the county of Allegheny, to grade, pave and macadamize the streets, lanes and alleys of said borough, and to construct sewers therein, and to assess and collect the costs and expenses thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when a petition, signed by a majority of the property holders on any street, lane or alley or part thereof, shall be

On petition of majority of owners, council required to open streets, &c.

To contract for grading, paving, &c.

Shall assess costs on owners.

Collection of assessments.

Deduction for prompt payment.

Councils may construct sewers.

Assessment of property benefited.

Lien.

presented to the councils, praying for the grading, paving or macadamizing and having set with curb-stones such street, lane or alley, or part thereof, which is or may hereafter be laid out and opened in said borough, the councils shall pass an ordinance directing the recording regulator to advertise for proposals, and under the direction of the committee on streets, to contract with the lowest and best bidder for the performance of the grading, paving and macadamizing said street, lane or alley; and when the said work shall have been done to the satisfaction of the recording regulator, it shall be his duty immediately thereafter to assess the costs of the same against the several owners of ground fronting on said street, lane or alley, each to the centre thereof, and in proportion to their fronts thereon, and the owners of corner lots shall be liable for the cost of paving to the centre of the intersecting street, lane or alley which their property adjoins; and the recording regulator shall make out duplicate bills therefor, and within five days thereafter either by himself or deputy, deliver the same to such owner or owners, if residing in said borough, and if such owner or owners cannot be found, place it or cause it to be placed upon the premises, and give notice of the assessment and the amount thereof by advertisements inserted three times in the papers doing the borough printing, a certified copy of which assessment he shall immediately deliver to the borough treasurer; the said bills shall contain a printed notice that the amount thereof is payable to the said treasurer at his office, as follows: One-half in thirty days and the balance in sixty days; after such demand the duplicate shall be returned by the said recording regulator to the borough treasurer, who shall note thereon and retain those that have been paid, and those that have not been paid shall be retained by the recording regulator, who shall within five days after the same is due and payable, prepare a full description, by metes and bounds, of such property, whose owner or owners shall not have paid the amount charged against him, her or them, and deliver the same, with said bills, to the borough solicitors, for collection, and the amounts when collected shall be paid to the treasurer; all contracts made in pursuance hereof shall stipulate for the allowance of five per centum deduction for the prompt payment of the assessments as aforesaid.

SECTION 2. That the councils of the borough of St. Clair be and are hereby authorized, when they may deem the same necessary, to cause sewers to be constructed in any street, lane or alley of said borough, and for the payment of the cost of the same, they are hereby authorized to levy and assess upon the property benefited; said levy shall be made by such persons, not less than three in number, as the councils may appoint, and when made and approved by the councils of said borough, shall be a lien on the property so assessed or levied upon; and if not paid within thirty days after said approval, the amounts, with five per centum added, shall be collected by the solicitor of said borough, and by him deposited with the treasurer, subject to the order of councils; for

which collection he shall receive the five per centum added to the amounts collected by him.

SECTION 3. That for the collection of assessments made on property for work done under the foregoing sections of this act, the borough solicitor is authorized to file liens in the name of the borough of St. Clair, in the district court of Allegheny county, in the same manner as mechanics' liens are filed, and writs of *scire facias* and *levari facias* may be issued as in the case of mechanics' liens, and the same costs shall be taxed.

Proceedings for collection of assessments.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 766.

An Act

To incorporate the Pittsburg Driving Park Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Rody Patterson, George B. Bissell, Joseph Fleming Alex. M. Byers, Joseph Browne, James M'Gunnigle, Charles F. Tillinghast, James Nimick, Park Painter, John A. M'Kee, Rody Paterson, Junior, Robert M'Cutcheon, John S. Hall, William H. Herron, Alexander Chambers, Andrew Fulton and John H. Douglas, their associates and successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Pittsburg Driving Park Association, and by that name shall sue and be sued, and shall possess the rights and privileges of a corporation, with power to purchase, hold, sell, transfer or lease real estate in their corporate capacity, not exceeding two hundred and fifty acres, in any part of the county of Allegheny.

Corporators.

Name.
Powers and privileges.

May purchase and dispose of real estate.

Limit.
Capital.

Increase.

SECTION 2. That the capital stock of said association shall be thirty thousand dollars, divided into sixty shares, of five hundred dollars each, with the privilege of increasing the same to any amount not exceeding fifty thousand dollars.

SECTION 3. That the stockholders of this association shall have the right, at the first or any subsequent meeting, to adopt and establish such constitution and by-laws for the government of the association as they may deem expedient: *Pro-*

Constitution and by-laws.

Proviso. *vided*, That the same be not inconsistent with the constitution and laws of this state or of the United States or of the provisions of this act.

Subscribing members. SECTION 4. That any person may become a subscribing member of said association upon subscribing such sum annually as may be fixed by the by-laws; but such subscribing member shall have no right to vote at any election held by the stockholders of the corporation, nor shall they have any right to participate in or direct the management of the property and business affairs of the corporation, and shall have only such privileges as the by-laws and constitution may provide.

Privileges. OFFICERS. SECTION 5. The officers of the association shall consist of a board of seven directors, one of whom shall be elected president, a secretary and treasurer chosen from among the stockholders by the directors, or a majority thereof; the directors to be elected by ballot from among the stockholders, at such time and place as shall be prescribed by the constitution and by-laws; at all meetings or elections held by said association, stockholders shall be entitled to one vote for each share of stock by them respectively held.

Officers. Elections. SECTION 6. That the object of the association shall be to promote the improvement of the breed of horses, with the right to offer premiums for that purpose, to procure suitable grounds, inclose, lay out and improve the same, and erect necessary buildings, and generally to manage and regulate the premises in such manner as shall best serve to promote and encourage the improvement of the breed of horses, and to provide the means to offer and pay suitable premiums to induce the exhibition of fine stock.

Votes. Object. SECTION 7. That said association shall have power to borrow money, not exceeding fifteen thousand dollars, and issue bonds for the same.

May borrow money. JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 767.

An Act

To incorporate the Lawrenceville and Evergreen Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That J. J. Gillespie, A. C. M'Callum, John W. Riddell, Matthew Cridge, B. W. Morgan, Hyde Sample, Thomas S. Bigelow, Thomas R. Sill, C. B. Gillespie, George H. Holtzman, John J. Williams, Daniel Dempsey, Edward Coates, James A. M'Devitt, C. L. Magee, James Taylor and John Paul, and such others as may become associated with them, their successors and assigns, are hereby constituted a body corporate and politic, by the name, style and title of the Lawrenceville and Evergreen Passenger Railway Company, and as such shall have power to construct a railway, commencing at the corner of Forty-third street, formerly Ewalt street, and Butler street, in the city of Pittsburg; thence along said Forty-third street to the Allegheny river; thence across said river by the Ewalt street bridge, if the railway company should get the consent of the bridge company, to the Allegheny and Butler road; and thence by the most practicable route to Evergreen Hamlet, in Ross township, in the county of Allegheny, with the right to go by and upon any public road now open, or which may hereafter be opened to said Evergreen Hamlet; and such company shall have the power to construct such turn-outs and switches as may be necessary, and pass over and across any other railroad at grade.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of twenty-five dollars each, with power to increase the said capital stock, by a vote of the stockholders, convened for that purpose, or a majority of them, to such an amount as, in their opinion, may be necessary to carry out the true intent and meaning of this act; and the said company may borrow money to an amount not exceeding one-half of their capital stock, and may issue therefor their bonds, with interest not exceeding seven per centum per annum, and for securing the payment of said bonds, with the interest, may execute a mortgage or mortgages of and upon their road and property, including the corporate rights and franchises granted by this act, and may annex to such bond the privilege of converting the same into the capital stock of the company at par, at the option of holders: *Provided*, That said company shall not issue certificates of loan of a less denomination than one hundred dollars.

SECTION 3. That said company shall have power and are hereby authorized to use steam as a motive power on and over any portion of their road which may be constructed outside the limits of the city of Pittsburg, and within the city of Pittsburg: *Provided*, The consent of the Ewalt Bridge Company, a majority of the owners of property on Ewalt street, and the councils of the city of Pittsburg, is first had and obtained.

SECTION 4. That said company shall have power to elect a board of directors, not less than five in number, to be chosen from among the stockholders. The board of directors shall choose a president from among themselves, and such other officers as they may deem necessary; and in all elections for directors, as for all other purposes, each share of stock shall be entitled to one vote.

Corporators.

Name.

May construct railway.

Route.

Capital.

Increase.

May borrow money.

May use steam for motive power.

Management.

Votes.

Additional powers.

SECTION 5. That said company shall have power to carry freight and passengers over their said road, and establish such a reasonable tariff of charges as they may in their by-laws provide; they shall have power to establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, and to amend the same from time to time, and to have a common seal, with power to alter the same at pleasure.

May consolidate

SECTION 6. That the company shall have power to consolidate with the Citizens,' or any other passenger railway near its city terminus. They shall have the right to use horse power on their said road, and shall have the right, as soon as twenty thousand dollars is subscribed to the capital stock, to commence the construction of the aforesaid passenger railway.

May extend road.

SECTION 7. Said company may, at any time after their road is completed to Evergreen Hamlet, by a consent of a majority of the stockholders, extend their road to Perrysville, in said county.

J. D. M'JUNKIN,

Speaker of the House of Representatives *pro tem*.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 768.

An Act

To incorporate the Philadelphia Warehouse Company.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That W. S. Russell, F. S. Kimball, Jesse J. Barker, A. H. O'Brien, W. C. Oberteufer, C. W. Tyson, J. M. Butler, Deveaux Klapp, J. H. Seaver, Frank A. Goodwin, Jr., and their associates, and such persons as shall become stockholders therein, be and the same are hereby made and constituted a body corporate and politic, by the name of the Philadelphia Warehouse Company, and by said name they and their successors shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded in all courts whatever, and also of contracting and being contracted with, relative to the business and objects of the said corporation as hereinafter declared, and may have a

Name.

Perpetual succession.

Powers and privileges.

common seal, with power to change and alter the same at Seal.
pleasure.

SECTION 2. The capital stock of said company shall consist of ten thousand shares of stock, of the par value of one hundred dollars each; and the incorporators, or a majority of them, named in the first section of this act, shall have power to procure subscribers thereto; and when not less than one thousand shares shall have been subscribed, and ten per centum thereon paid in, the shareholders shall elect nine directors, to serve until the next annual election, or until their successors shall be duly elected and qualified; and the directors so elected, when said company shall have been organized, may and are hereby authorized and empowered to have and to exercise, in the name and behalf of the company, all the rights and privileges which are intended to be hereby given, under such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due and to become due on the shares held by them: *Provided however*, That active business shall not be commenced by said company, until at least one hundred thousand dollars of the capital stock shall have been paid in; the directors shall have power to call in the capital stock of the company in such instalments, and at such time and places as they may require and designate; and they shall give fifteen days' notice thereof, in two or more papers published in the city of Philadelphia; and if any stockholder, subscriber, their assignee or transferee shall refuse or neglect to pay such proportion or instalment at the time and place appointed, such stockholder, subscriber's assignee or transferee shall, at the option of the directors, forfeit to the use of the company all his, her or their right, title and interest in and to every share on which said instalment has not been duly paid, and fresh subscription may be opened for the same, in such manner as the by-laws may prescribe, or the directors may, at their option, commence suit for the same, and recover against the subscriber or holder of such stock for the amount of the instalment or proportion so unpaid: *Provided*, That no stockholder or subscriber shall be permitted to vote at any election for directors, or at any general or special meeting of the company, on whose share or shares any instalments or arrearages may be due more than ten days previous thereto, nor shall any stockholder vote at any such meeting or election, whose stock has not been standing in his or her name on the books of the company at least thirty days.

SECTION 3. That the said company is hereby authorized to receive, for warehousing, safe-keeping or storage, goods, wares and merchandise of all kinds, grain, flour, produce, petroleum, whiskey or other property, subject to such charges for factorage, storage and insurance as may be agreed upon between them and the owners or depositors of such property, and to take charge of and perform the duty of paying duties on bonding, receiving, landing, hauling and delivering all such goods, wares, merchandise or property deposited or intended to be deposited with said company; to insure, or cause to be insured, the owner or owners thereof against all loss by fire or

Capital.

Election of directors.

When business may be commenced.

Neglect to pay instalments.

Proviso.

Business.

May insure property received.

May advance
money.

water, whether in transit or on storage, for such an amount, time and price as may be agreed upon between the said owner or owners, depositors or agents, and the said company; and the said company shall also have power to advance money and credits upon any property in its custody, or upon bills of lading, receipts or certificates representing goods on storage elsewhere, or in transit from one portion of the United States to another, or between the United States and any foreign country, or between any foreign country and the United States, on such terms as may be agreed upon between the borrowers and said company; and the said company shall have power to become possessed of and hold all such equipments as may be necessary to their business; it shall be lawful for said company to purchase, hold and convey real estate as follows:

May hold real
estate.

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it in good faith by way of security for debts previously contracted.

Third. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth. Such as it shall purchase at sales under judgments, decrees or mortgages held by the company, or shall purchase to secure debts due to said company.

May build upon
lands, &c.

It shall also have power to build upon or alter such real estate as may be necessary for carrying on the business of the company, and to connect the same with any railroads convenient thereto, by one or more connections therewith.

Receipts and
certificates.

SECTION 4. The said company shall not issue any receipt or certificate for any goods, wares, merchandise or property to any person or persons purporting to be the owners or depositors thereof, unless the same shall have been actually received into a warehouse, an enclosure or on a wharf of the company, and shall be in store or on the premises aforesaid, and under its control at the time of issuing said receipt or certificate.

Receipts, &c,
negotiable.

SECTION 5. That any receipt or certificate issued by said company for any goods, wares, merchandise or property as aforesaid, stored or deposited with the said company, shall be negotiable and may be transferred by endorsement and delivery of said receipt or certificate; and any holder of said receipt or certificate to whom the same may be so endorsed and delivered, shall be deemed and taken to be the owner of said goods, wares, merchandise or property therein specified, either absolutely or as a pledge for any advances or credits on the same, as the case may be, subject, however, to all charges thereon; and no property so specified shall be delivered by said company except on the surrender and cancellation of said original receipt or certificate, or in case of the partial delivery or release thereof, by the written assent of the holder of said receipt or certificate endorsed thereon: *Provided*, That all the receipts or certificates issued by the said company, which shall have the words "not negotiable," plainly written or printed on the face thereof, shall not be transferable by endorsement and delivery as aforesaid.

Proviso.

SECTION 6. That the office of the said company shall be in the city of Philadelphia; the directors shall be elected annually by the stockholders, on the third Tuesday of February, and they shall elect from their number a president and a vice president, and may appoint a treasurer, a secretary and such other officers, clerks and agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him, but no person shall be eligible as director who is not a stockholder to the amount of twenty shares; at the annual or special meetings a quorum shall consist of stockholders owning at least one-third of the capital stock; the board of directors shall have power to make all by-laws necessary for conducting the business of the company.

Office.

Election of officers.

Votes.

Quorum.

By-laws.

SECTION 7. Ten days' notice shall be given, by publication in two daily papers, published in the city of Philadelphia, of the time and place of the annual meeting, or of any special meeting; at the annual meeting an election for directors shall be held, which election shall be conducted by three stockholders, to be chosen by the meeting, one of whom shall act as judge and the other two as inspectors.

Notice of meetings.

SECTION 8. The said company shall pay to the state treasurer, for the use of the state, a bonus one-fourth of one per centum on the sum required to be paid in before active business, in four equal annual instalments, the first payment to be made in one year thereafter, and a like bonus on all subsequent payments on account of the capital stock of said company.

Bonus and taxes

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 769.

An Act

For the relief of Elizabeth Weiser, of Berks county, widow of Peter Weiser, deceased, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, Elizabeth Weiser, widow of Peter Weiser, a soldier of the war of one thousand eight hundred and twelve, is in necessitous circumstances, is old weak and infirm, cannot

earn a livelihood, and having failed after repeated efforts to obtain relief under the existing laws, by reason of her inability to prove under whose command her deceased husband done the service :

And whereas, His services were duly acknowledged by the United States government, by granting him a bounty and warrant for one hundred and sixty acres of land ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to place the name of Elizabeth Weiser on the list of state pensioners, and pay unto her out of any moneys in the treasury not otherwise appropriated, a gratuity of forty dollars, and an annuity of forty dollars, commencing on the first day of January, one thousand eight hundred and seventy-one, which annuity shall be paid semi-annually, and continue during the natural life of the said Elizabeth Weiser : *Provided*, She remains a widow : *Provided*, That when the general government provides by law for the payment of pensions to the soldiers of one thousand eight hundred and twelve, which will entitle the said Elizabeth Weiser to such pension, then the pension granted by this act shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 770.

An Act

Relating to the public schools in the borough of Knoxville, county of Tioga.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Knoxville, in the county of Tioga, be and they are hereby authorized to borrow any amount of money, not exceeding three thousand dollars, at a rate of interest not exceeding eight per centum per annum, and to issue bonds therefor ; such bonds to be exempt from taxation under the laws of this commonwealth,

Directors may
borrow money
and issue bonds.

Bonds exempt
rom tax.

except for state purposes, for the purpose of erecting suitable buildings and purchasing furniture for the use of the schools of said borough. Purpose.

SECTION 2. That it shall be the duty of the school directors, immediately upon the completion of suitable buildings therefor, to provide one or more additional departments in the schools of said borough, in which the higher English branches, mathematics and the languages may be taught, and provide a competent teacher therefor. Duty of directors.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 771.

A Supplement

To an act, entitled "An Act for the prevention of the mutilation and destruction of show bills, placards, programmes, announcements, et cetera., and for the protection of the proprietors of places of amusement, merchants, manufacturers and others in the city of Philadelphia, and counties of Centre and Lancaster."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act any person found mutilating, destroying, tearing down or removing any show bill, placard, programme, poster or any other advertisement posted upon any wall, fence, bill-board, or other structure, in or located on any public highway in the city of Philadelphia, and counties of Centre and Lancaster, shall be liable to a fine of five dollars, one-half to go to the informer, to be imposed by either the recorder or alderman, for each and every offence: *Provided*, The penalties of this act shall not apply to the tearing down or removing show bills, play bills, posters, programmes, et cetera, after the performance therein advertised, or to the owner or tenant of any building, fence or other structure upon which the said show bills, play bills, programmes, et cetera, may be posted, against his or their wishes, save and except such owner or tenant be the bill poster putting up or employed to put up said show bills, play bills, posters, programmes, et cetera; in such cases, the penalty shall be the

Penalties for tearing down bills, &c.

Proviso.

same as before stated. All fines collected under and by virtue of this act shall be paid into the state treasury.

Repeal.

SECTION 2. All acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed, as far as relates to the city of Philadelphia.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 772.

An Act

To pay a pension to John Care, the father of corporal William T. Care, who lost his life in the military service of the state.

WHEREAS, Corporal William T. Care, the son and support of his father, John Care, lost his life in the military service of the state, at Scranton, in April, eighteen hundred and seventy-one; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to John Care, a pension of eight dollars per month (\$8) during his natural life, payable semi-annually, commencing on the first day of January, Anno Domini eighteen hundred and seventy-one.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 773.

An Act

To pay a pension to Reuben Wenner, the father of lieutenant Miles Wenner, who lost his life in the military service of the State.

WHEREAS, Lieutenant Miles Wenner, the support of Reuben Wenner, his father, lost his life in the military service of the state, at Scranton, in the month of April, eighteen hundred and seventy-one; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay to Reuben Wenner, a pension of eight dollars per month (\$8) during his natural life, payable semi-annually, commencing on the first day of January, Anno Domini eighteen hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 774.

A Supplement

To an act authorizing the city of Altoona to provide a supply of water and to borrow money, approved the ninth day of March, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate authorities of the said city of Altoona be and they are hereby authorized to levy, assess and collect a tax, not exceeding twelve mills on the dollar of the assessed valuation of property, professions and trades in said city, for the purpose of redeeming and paying off the loan authorized by said act, approved on the ninth day of March, Anno Domini one thousand eight hundred and seventy-one; and so much

of said act as conflicts with the provisions of this act be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 775.

An Act

To incorporate the Perkiomen Mutual Fire Insurance Company of Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Garret D. Hunsicker, Theodore W. Bean, Samuel D. Rudy, Henry Loucks, D. Morgan Casselberry, Samuel E. Nyce, Francis R. Deeds, Joseph Fitzwalter, Henry Allenbach, Abraham Hunsicker, Junior, Jacob H. Price, Harry W. Kratz, Davis Longaker and William D. Bean, and such other persons as are or may be associated with them under the authority of this act, being citizens of the commonwealth of Pennsylvania, their successors or assigns, are hereby made a corporation, by the name of the Perkiomen Valley Mutual Fire Insurance Company, with its business office in the vicinity of Perkiomen bridge, and they and their successors are hereby made a body politic and corporate in law, with all the legal incidents of a corporation aggregate: *Provided,* That they shall not have power to hold a greater amount of real estate than is necessary for the use of the corporation in the transaction of the business thereof, or such as shall be taken in security for or in payment of debts, nor shall the yearly income thereof exceed two thousand dollars; nor shall any by-laws be repugnant to this instrument, constitution of the United States or this commonwealth.

SECTION 2. The power of this association shall be vested in a board of managers, to consist of not less than thirteen, to be chosen by ballot annually, on the first Monday of May, at the annual meeting of the company, to be held for that purpose, at the Perkiomen Bridge hotel, in Montgomery county, and each member shall be entitled to one vote in person, and not by proxy.

Corporators

Name.

Powers and privileges.

Limitation as to real estate.

Managers.

Election.

SECTION 3. Each insured in said company shall be a member thereof during the term of his or her policy and no longer. Members.

SECTION 4. The general meetings of this company shall be held annually, on the first Monday of May, and also whenever called by the board of managers, or when requested by twenty members, in writing, to the president or secretary; three weeks' notice shall be given of all general meetings, as well as of the annual election, published once a week in not less than two newspapers published in the county of Montgomery; and the members shall, at all such general meetings, pass all by-laws, rules and regulations necessary for the well government of the affairs of the corporation, or vest the power so to do in the board of managers; the election for managers shall be conducted by three judges, who are members of the association, who shall be chosen by the members present for that purpose, and who shall certify under their hands the result of said election, which certificate shall be filed with the papers of the corporation; the managers for the time being shall choose from their own number a president, and also from time to time, as it may be necessary, appoint a treasurer and secretary, and such other agents and officers as may be necessary, and fix their respective fees and salaries, and require such bonds for the faithful discharge of the duties assigned as may be deemed necessary, or the interest of the company require; and shall have full power to suspend, remove or displace any such officer or agent of the company, and supply any such vacancy which may happen by death, removal or resignation of any of their members, until the next election; and they shall, at the annual meeting of the members, present to the company a general statement of its affairs. Annual meet-ings.
Notice of meet-ings.
By-laws.
Officers.
Vacancies.
Statement of affairs.

SECTION 5. The president and managers shall have full power, on behalf of said corporation, to make insurances against loss by fire, storm or hurricane, on any house, tenement, manufactory, barn or other buildings, and goods, wares, merchandise and effects, household furniture, and on hay, grain and other agricultural products, in barns, stacks or otherwise, and on farm implements, and generally on all kinds of goods, wares and merchandise, and upon live stock, except, however, books of accounts, bills, bonds, notes, ready money, jewels, plate, paintings, engravings and large manufactories, and to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary and as the nature of the case shall require; and every such contract, agreement and policy, to be made by the said corporation, signed by the president and attested by the secretary, and also shall be signed by the party insured; and the president and managers are hereby empowered to have made and procure a seal, with such device as they may deem proper, to be used by them as the common official seal of the company. Business.
What may be insured.
Seal.

SECTION 6. It shall be lawful for said company to employ and improve all moneys received by them, and the profits thereof, in the purchase of any ground rents or mortgages, state or United States bonds or securities, or in any loans on Investment of funds.

good and sufficient securities; and no money shall be drawn from the funds of said company for the purpose of making dividends or dividing profits, nor for any other purpose than, first, to defray the current or incidental expenses of the corporation and for the purpose of such damages as any member of said company or insurer may be justly entitled to; and when the just demand of any insurer in said company, and member thereof, shall exceed the amount of its available funds on hand, such sum as shall be necessary to pay the same shall, without necessary delay, be assessed by any three of the board of managers appointed by the president or secretary on the insurances, each member to pay in proportion to the amount he has insured, and publish the same; and all and every of the members or insurers of the company shall pay into the hands of the treasurer his, her or their proportionable part of such rates within forty days of such publication as aforesaid, and in default of such payment he, she or they, and every of them making such default therein, shall be notified, and an addition made to their rates of twenty per centum, to pay the expenses of collecting the same, and neglecting to pay the said rates for fifty days more, his, her or their policies shall become suspended until payment shall have been made; notwithstanding said suspension, such insured shall be held liable to said rates, pursuant to his, her or their covenant and agreement.

Assessments.

Notice of losses.

SECTION 7. All and every of the members of this company who shall sustain any loss by fire, storm or hurricane, shall give immediate notice to the president or secretary of the company, who shall appoint a committee of three from the board of managers; which said committee shall examine into the same, with all convenient expedition, and inquire of the damages sustained and make report of the same; which said parties shall be legally entitled to make provision for the payment of the same as herein specified; which said sum, as fixed by said committee, if not appealed from by either party within twenty days from the finding and report of the same, shall become final between the parties; the said committee, on making inquiry for damages, shall have the power to examine witnesses and administer oaths, and compel the attendance of the same, by subpoena issued under their hands, and may compel the insured to testify, at their option; and no member shall be disqualified from testifying upon the ground of interest, either before said committee or in any of the courts of this commonwealth, in any suit or legal proceedings brought by the insured, or any member, against the company.

Committee to adjust losses.

Powers.

Rates of insurance to be fixed by members or managers.

SECTION 8. The members shall, at their general meetings, fix such rates of insurance and incidental charges and fees as may be deemed equitable and proper, or vest the power so to do in the board of managers; and any person who shall become a member of this corporation by effecting insurance therein, shall, the first time he effects insurance therein, and before he or she receives his or her policy, pay the rates that shall be fixed and determined upon; and no premium so paid shall ever be withdrawn from said company by the insured.

SECTION 9. That in case any assured, named in any policy

or contract of insurance made by said corporation, shall sell, convey, assign or pledge, as collateral for any debt, the subject insured, it shall be lawful for such assured to assign and deliver to said purchaser, or pledge, such policy or contract of insurance; and such assignee shall have all the right or benefit of such policy or contract of insurance, and may bring and maintain a suit in his or her own name: *Provided however*, Said assignment shall not be good for more than thirty days, unless approved by the president or secretary; and the assignee in accepting such transfer or assignment shall become liable to all the covenants and agreements made and entered into with said corporation by the assignor.

Policies may be assigned.

Proviso.

SECTION 10. The net profits arising from interest, or otherwise, shall be ascertained yearly to every member, in proportion to his, her or their deposit in the company's books; nothing in this charter shall be construed so as to allow any of the funds of this association to be used for banking or manufacturing purposes.

Profits to be ascertained yearly.

SECTION 11. If at any time it shall appear that the chartered privileges hereby granted are injurious to the public welfare, the power thereof to repeal shall not affect any engagement to which the said company may have become a party previously thereto; and that the said company shall have a reasonable time to bring their accounts to a final settlement.

Repeal of charter not to affect engagements.

SECTION 12. The corporators named in this act shall constitute the first board of managers until the annual election in May, one thousand eight hundred and seventy-one, with power to organize the corporation and appoint a president and other officers and agents, agreeably to the spirit of this act, as is herein before provided, with all the powers contemplated to be vested in the board of managers elected by the company under the authority of this act.

Corporators to be first board of managers.

SECTION 13. No policy shall be issued by the corporation until application be made for insurance to the amount of four hundred thousand dollars.

When policies may be issued.

SECTION 14. Suits of law may be prosecuted and maintained by any member against said corporation for losses or damages insured against them if payment is withheld more than sixty days after the company is duly notified of such losses: *Provided*, The managers do not agree to re-build or re-place the property lost or damaged, in which case a reasonable time shall be allowed them.

Suits against company for losses.

Proviso.

SECTION 15. Any amendment or alteration may be made to the constitution at any general meeting, by a majority of the whole association, or by a written agreement of a majority thereof, clearly setting forth the proposed amendment or alteration: *Provided*, The same is not repugnant to the constitution of this commonwealth or of the United States.

Amendments to constitution.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 776.

An Act

To annul the marriage contract between Isabella Woods and William Woods.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Isabella Woods and William Woods, her husband, be and the same is hereby annulled and made void to all intents and purposes, and the said parties released, set free and discharged from said contract, and the duties and obligations thereunder, as fully, effectually and absolutely as if said contract had never been made; the courts of justice having no jurisdiction in the premises.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 777.

An Act

To incorporate the Lake Mill and Manorville Turnpike Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That Andrew Bausman, John Lintner, Abraham Peters, George F. Breneman, Jacob E. Mellinger, Ephraim H. Hershey, Abraham E. Hostetter, Frederick Stoner, Benjamin Landis, Ezra M. Hostetter, Jacob H. Landis, George S. Mann and Tobias Landis, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Lake Mill and Manorville Turnpike Road Company, with full power and authority to construct a turnpike road

Name.

from a point on the Little Conestoga creek, in Manor township, Lancaster county, either at the Lake Mill, or nearly opposite the same, on the west side of said creek, along the line of the present public road, or by any other route which may be deemed most expedient, to a point on said public road, known as Manorville, and to change the bed of said public road whenever it may be expedient, with all the powers and privileges, and subject to all the conditions and restrictions given and contained in the act of assembly, entitled "An Act regulating turnpike and plank road companies," approved the twenty-eighth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except that the said company may erect toll-gates and collect tolls on the completion of the road, although the same shall not extend five miles in length; and further, that the said company may collect tolls from all persons using or traveling on said road, for any distance exceeding one-fourth of a mile, notwithstanding they may not pass through a gate, subject to the proviso in the thirteenth section of the act, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, hereinbefore mentioned; and such tolls may be recovered in the manner provided for in the act of assembly, approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-two, entitled "A supplement to the act incorporating the New Holland Turnpike Road Company.

May construct
turnpike road.

Location.

Subject to.

Tolls.

SECTION 2. That the capital stock of the said company shall consist of four hundred shares, at fifty dollars per share, or of any less number as may be deemed necessary for the construction and completion of said turnpike road.

Capital.

SECTION 3. That if the said company shall not commence the construction of the said road within four years after the passage of this act, and complete the same within six years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the company.

Commence-
ment and com-
pletion of road.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domni one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 778.

A Supplement

To an act, entitled "An Act appointing commissioners to lay out and open a state road from the mouth of Kettle creek, in Clinton county, up said creek to the south line of Potter county," approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-nine, vacating a portion of a state road from the mouth of Paddy's run, in the county of Clinton, to Hopper House, in Potter county, appointing additional commissioners, and extending the road authorized by the act to which this is a supplement.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Portion of state road vacated.

That all the portion of state road in the counties of Potter and Clinton, laying between Kettle creek, in the county of Potter, and the mouth of Paddy's run, in the county of Clinton, surveyed in pursuance of an act, entitled "An Act appointing commissioners to lay out and open a state road in the counties of Potter and Clinton," approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, is hereby vacated; and all lands now taxed for said laying south of Kettle creek, in the county of Clinton, are hereby exempted from further taxation for the purpose of said road.

Lands exempt from taxation.

Duties of commissioners.

SECTION 2. It shall be the duty of the commissioners appointed under authority of the act to which this is a supplement, to extend the road authorized by the said act, from the south line of Potter county, up Kettle creek to where the state road running from Germania, in Potter county, to the Philadelphia and Erie railroad crosses Kettle creek; and Henry Andreson and Joseph Schnorzenback are hereby appointed additional commissioners, to act in conjunction with the commissioners authorized by the act to which this is a supplement, mentioned in the commencement of this section, with the same power, rights and duties as said commissioners now have by virtue of said act.

Additional commissioners.

Duties of treasurer of Clinton county, &c.

SECTION 3. That it shall be the duty of the treasurer of Clinton county, and the commissioners of the Hopper House and Paddy's run state road, and they are hereby directed to pay over to the said commissioners on their order, or a majority of them, any and all money now in their hands, collected from lands lying in the county of Clinton, taxed in pursuance of the act of twenty-first of March, Anno Domini one thousand eight hundred and sixty-five, mentioned in the first section of this act; and the said commissioners are hereby directed to expend one-half of the same on that portion of the road laying in the county of Potter, and the balance on that portion of the road laying in the county of Clinton: *Provided*, That no taxes hereafter collected in Clinton county shall be expended on any portion of said road in Potter county; and that warrants

• Proviso.

numbered 5,940, 5,944 and 5,946, in Potter county, shall be exempt from taxation for said road, and warrant number 4,306, in Leidy township, Clinton county, shall be exempt from taxation for said road; and the said commissioners shall annually settle their accounts with the auditors of Clinton county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 779.

An Act

To extend the provisions of an act, approved April fourth, one thousand eight hundred and seventy, entitled "An Act to authorize the road commissioners of Ridgeberry township, Bradford county, to add twenty-five per centum to delinquent road taxes, and cause the same to be expended in the proper sub-districts," to the township of South Creek, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, approved April fourth, one thousand eight hundred and seventy, entitled "An Act to authorize the road commissioners of Ridgeberry township, Bradford county, to add twenty-five per centum to delinquent road taxes, and cause the same to be expended in the proper sub-districts," be and the same are hereby extended to the township of South Creek, in said county of Bradford.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 780.

An Act

Exempting ground rents in Allegheny county from all taxation, except for state purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act no taxes of any description shall be assessed or collected on any ground rent in Allegheny county, or the money due and payable thereon, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 781.

An Act

To promote the business of lumbering in the counties of Clinton, Centre, Clearfield and Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any person or persons, firm or corporation engaged in the business of lumbering in the counties of Clinton, Centre, Clearfield and Elk, to pass and re-pass over the unimproved land of any other person or persons, to enable the said person or persons, firm or corporation, so engaged in lumbering, his or their agents and employees, to have ingress and egress to and from the timber lands or mills upon or at, while they are engaged in said business; and it shall be lawful for the person or persons, firm or corporation, so engaged in lumbering, to lay out and open all roads which he or they may deem necessary, upon any unimproved lands, for the purpose of transporting his or their logs, timber, lumber, shingles or other property, and to take, use and oc-

Persons engaged in lumbering may pass over unimproved lands.

May make roads

copy such unimproved land (not being used or occupied by the owner or owners of said land) as shall be necessary for the purpose of piling and banking the said logs, timber, lumber, shingles or other property: *Provided*, That the rights granted by this section shall not be exercised until the owner or owners of the land so taken, used and occupied, shall be fully prepaid the damages he or they shall sustain by reason thereof, or the same shall be secured to him or them as provided in the second section of this act.

May use unimproved lands for certain purposes.

Damages.

SECTION 2. In case the person or persons, firm or corporation, and the owner or owners of land taken, used and occupied, in accordance with the provisions of the foregoing section, shall be unable to agree upon the amount of damages to be paid for such use and occupancy, it shall be lawful for the said person or persons, firm or corporation to file, in the office of the clerk of the court of quarter sessions of the county wherein the land is located, his or their petition to the said court for the appointment of viewers to appraise and ascertain said damages, and to file with such petition his or their bond to the commonwealth of Pennsylvania, in such sum, and with such sureties, as shall be approved by a judge of said court, (said approval to be endorsed in writing on the said bond,) conditioned to pay to the owner or owners of the lands the damages which may be ascertained and awarded by the viewers, and confirmed by the court, together with such costs as may be decreed against the petitioner or petitioners; and therefore it shall be the duty of the said court, at its next succeeding term, to appoint three disinterested persons, who, after giving at least five days' notice to the parties, their agents or attorneys, shall proceed to view and assess said damages, considering the advantages and disadvantages to accrue, and make report thereof to the next court of quarter sessions; whereupon the said court shall proceed thereon in the same manner as is or shall be provided in the case of road views in said county, with power to order a review or confirm the report, and to decree payment of costs by either party, or divide the same between them, as justice and equity may require.

Appointment of viewers to assess damages.

Proceedings as in road views.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 782.

An Act

Appointing commissioners to lay out, locate and open a state road from Freeport, in Armstrong county, to Tarentum, in Allegheny county.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Mogill, Hamilton Grant and E. Marhouff, are hereby appointed commissioners for the purpose of laying out and opening and making a state road, commencing at the Buffalo creek bridge, near Freeport, in Armstrong county; and thence to the borough of Tarentum, in Allegheny county.
- Commissioners. That John Mogill, Hamilton Grant and E. Marhouff, are hereby appointed commissioners for the purpose of laying out and opening and making a state road, commencing at the Buffalo creek bridge, near Freeport, in Armstrong county; and thence to the borough of Tarentum, in Allegheny county.
- State road authorized.
- Draft of road to be filed in quarter sessions court.
- SECTION 2.** That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of Allegheny county, and when so filed, said draft and the record thereof shall be legal evidence in all things relating to the same; that any two of said commissioners shall be deemed a quorum, and sufficient to do anything authorized to be done by this act, having a due regard to a straight and easy road, at an elevation of not more than three degrees from a horizontal line, and shall clearly and distinctly mark the points on the route located; the said commissioners shall receive three dollars per day for each day they shall be necessarily engaged in the performance of their duty under the provisions of this act; they shall employ a practical surveyor, at the rate of five dollars per day, and two chain bearers, at two dollars per day: *Provided,* That one of the commissioners may act as the surveyor, but he shall not receive more than five dollars per day as commissioner and surveyor; before entering upon the duties required by this act, the commissioners and surveyor shall be sworn or affirmed, before a justice of the peace, to perform all the duties required of them truly and fairly.
- Quorum.
- Compensation.
- Surveyor.
- Duties of supervisors.
- SECTION 3.** That it shall be the duties of the supervisors or other officers, having charge of the public roads in the several townships through which said road shall pass, upon a written notice being given by any person interested in its use, to proceed without delay to open, construct and keep in order and good repair said road, under a penalty of fifty dollars for neglecting the same, to be collected before any justice of the peace, in the county where said officer resides.
- Accounts for per diem pay and expenses, how paid.
- SECTION 4.** The commissioners appointed by this act shall file vouchers for their per diem pay, and other necessary expenses, with the commissioners of the counties through which said road shall pass, who shall adjust the same and pay them as other accounts and orders are paid by warrants on the treasurer or otherwise: *Provided,* That neither of the said counties be liable to pay a greater proportion of the said ex-

penses, than for the work done and service rendered within said county.

SECTION 5. That said commissioners shall meet on or before the first Monday of May next, or as soon thereafter as a majority of them may agree upon, and complete the location of said road; and if a vacancy should occur by reason of resignation or otherwise, the remaining commissioner or commissioners may fill the vacancy by appointment of suitable persons.

First meeting.

Vacancies.

SECTION 6. It shall be the duty of the commissioners to assess all damages sustained by owners of land, by reason of said road, and said damages are to be paid as is now provided by law.

Assessment of damages.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 733.

A Further Supplement

To an act incorporating the Bear Creek Railroad Company, correcting a clerical error, approved the twentieth of March, one thousand eight hundred and sixty-five, and correcting a clerical error in the title to an act, approved the fourteenth day of April, one thousand eight hundred and seventy, entitled "A further supplement to the act incorporating the Bear Creek Railroad Company," approved the twentieth of March, one thousand eight hundred and sixty-six.

WHEREAS, An act approved the fourteenth day of April, one thousand eight hundred and seventy, entitled "A further supplement to an act incorporating the Bear Creek Railroad Company," approved the twentieth day of March, one thousand eight hundred and sixty-six, was designed and intended to be a supplement to the act to incorporate the Bear Creek Railroad Company, approved the twentieth day of March, one thousand eight hundred and sixty-five; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said further supplement to the act incorporating the Bear Creek Railroad Company, approved the twentieth of March, one thousand eight hundred and sixty-six, approved the fourteenth day of April, one thousand eight hundred and

seventy, is hereby declared to be a further supplement to the act incorporating the Bear Creek Railroad Company, approved the twentieth of March, one thousand eight hundred and sixty-five, with the same force and effect as if said act had properly recited the twentieth of March, one thousand eight hundred and sixty-five, instead of the twentieth of March, one thousand eight hundred and sixty-six.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 784.

An Act

To authorize the widening of Delaware avenue, and to locate the same continuously upon the public plans of the city of Philadelphia.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common council of the city of Philadelphia be and they are hereby authorized to widen Delaware avenue, upon the east side of the same, so that the width thereof shall not exceed eighty feet; and that said avenue, between Queen street and Washington avenue, shall be located of that width upon the public plans of said city.

BUTLER B. STRANG,

Speaker of the House of Representatives *pro tem.*

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 785.

An Act

Enlarging the duties and powers of the commissioners of Fairmount park, by requiring them to take charge of Hunting park, in the city of Philadelphia, and of the legacy of Elliott Cresson, providing for the planting of trees in said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the care and management of Hunting park, in the city of Philadelphia, is hereby transferred and committed to the commissioners of Fairmount park, who shall be and they are hereby authorized and required to take charge of the same, and lay out, enclose, plant and adorn the same; and who shall possess and exercise the like powers and authorities, in every particular, over the said Hunting park, as now by existing laws, or hereafter by such as may be passed, they now have, or may hereafter come to have, over Fairmount park, in the city of Philadelphia.

Care of Hunting park transferred to commissioners of Fairmount park

SECTION 2. It shall and may be lawful for said commissioners to survey, locate, lay out and establish an avenue, which shall not be less than one hundred feet in width, which shall extend from Hunting park to Fairmount park, connecting the two parks with each other, at such points as the commissioners aforesaid may think best; and all and singular the provisions of existing laws relating to Fairmount park, concerning the mode of acquiring possession of land and of the title to land, are hereby extended to the land and property necessary, in the judgment of said commission, to be required in order to the laying out and establishment of said avenue; the said avenue shall be laid out, paved and adorned as a park road by said commissioners, and shall be under their police control and supervision.

Commissioners may lay out avenue.

SECTION 3. That for the purpose of squaring the said Hunting park, and making the same more suitable in shape for use as a park, the park commissioners may negotiate with the owner of ground on the east side of said Hunting park, and south side of Bristol street, and acquire the title to an area of ground, at least as large as all that part of the said Hunting park situate north of the line of said Bristol street, which latter ground shall be given in exchange for the ground so acquired east of the said Hunting park and south of said Bristol street; and a deed or deeds, so agreed to be given in even exchange to the person entitled to receive the same, shall be executed by the mayor of the city of Philadelphia, whenever he shall be requested so to do by the park commissioners; and the said exchange to be made on or before the first day of January, one thousand eight hundred and seventy-two.

Regulations of Fairmount park, extended.

Commissioners may purchase additional land.

Conveyances, how executed.

Duty of city
councils.

SECTION 4. It shall be the duty of the councils of the city of Philadelphia from time to time, on the request of said commissioners, to provide such moneys as the said commission may require for the proper execution of the duties imposed upon them by this act.

Legacy of
Elliott Cresson.

SECTION 5. The care and management of the legacy made to the city of Philadelphia, by the late Elliott Cresson, of the sum of five thousand dollars, the income of which is to be applied to the planting of shade trees in said city, in accordance with the provisions of his will, is hereby assigned, appointed and transferred to the commissioners of Fairmount park, who are hereby authorized and directed to receive, execute and discharge the said trust, and to whom the city of Philadelphia is hereby authorized to pay over any accumulation of interest and income now existing, and such as from time to time accrues, for that purpose.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 786.

A Further Supplement

To an act, entitled "An Act for making an artificial road from the city of Philadelphia to the borough of Lancaster."

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso contained at the close of section third of a certain act of assembly, passed the seventeenth day of April, one thousand seven hundred and ninety-five, entitled "An Act to enable the president, managers and company of the Philadelphia and Lancaster turnpike road to increase the width of the said road in certain cases, be and the same is hereby repealed.

Penalty for mis-
representation
of distance tra-
veled.

SECTION 2. If any person or persons shall represent to the said company, or any of their officers, that he, she or they have traveled a less distance than he, she or they have actually traveled along the said road, or shall in any manner or way refuse or evade the payment of toll due to the said company, with intent to defraud said company of its toll, or any part thereof, such persons or person shall, for every such offence,

forfeit and pay to the use of said company the sum of five dollars.

SECTION 3. That no toll shall be demanded by the said company from any person or persons passing and re-passing from one part of his or her or their farm, to any other part of the same; and all persons with their vehicles or horses going to or from funerals or places of public worship, or of military training or elections, shall be exempt from the payment of toll when traveling on such turnpike road; and that all penalties prescribed by this act, or said original act incorporating said company, and any supplement thereto, shall be recovered before any alderman or justice of the peace having jurisdiction of similar cases.

Certain persons exempt from tolls.

SECTION 4. That from and after the passage of this act the rates and toll of the said company shall be and the same are hereby altered to and directed to be taken at the rates set forth in the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Tolls regulated by general law.

SECTION 5. All laws or parts of laws heretofore passed in relation to the said company, inconsistent herewith, be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 787.

A Supplement

To an act, entitled "An Act to incorporate the Bank of America," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy, establishing the individual liability of the stockholders of said bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the shareholders of the Bank of America, incorporated in accordance with the provisions of an act, entitled "An Act to incorporate the Bank of America," approved the twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy, shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts

and engagements of said bank, to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 788.

A Supplement

To an act, entitled "An Act to provide an additional law judge of the several courts in the Fourth judicial district," approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any vacancy shall occur in the office of additional law judge, in the Fourth judicial district," by resignation, expiration of term of office, or otherwise, a successor shall be appointed and elected in the same manner as is provided by law for the appointment and election of president judge in said district.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 789.

An Act

To incorporate the Pittsburg and Western Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That J. N. M'Cullough J. C. Conn, and their associates and successors, be and they are hereby incorporated and made a body politic in law, by the name, style and title of the Pittsburgh and Western Company, for the transportation of property, and by the said title shall have perpetual succession, and all the privileges usually incident to corporations, and the corporate powers of the same shall be exercised by the board of directors, who shall make all necessary by-laws for the government of the same.

Corporators.

Name.

Powers and privileges.

By-laws.

SECTION 2. The said company shall have power to build, purchase or lease cars for the transportation of perishable and other articles, and to purchase and apply to any of the said cars patented or other devices for the preservation of perishable articles, and to employ said cars in transporting under such contracts as they may make with any railway company or companies, and to purchase and hold such real and personal estate as may be necessary for their business, and the same to sell, lease or otherwise dispose of; and said company may borrow money on their bonds and secure the same by mortgage on their property and franchises; said bonds to bear such rate of interest as the company may deem expedient.

Business.

May hold real estate.

May borrow money.

SECTION 3. The capital stock of said company shall be one hundred thousand dollars, divided into one thousand shares, of one hundred dollars each, with the privilege of increasing the same from time to time, to an amount not exceeding three millions of dollars.

Capital.

Increase.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 790.

A Supplement

To an act relative to the Pottstown Gas and Water Company, approved April second, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any person or persons shall open a communication into the gas or water pipes of said company, without authority from the proper officer thereof, or shall let on the gas or

Penalty for opening gas or water pipes.

water after it has been stopped by order of the company, or its authorized agent, or open any of the said company's fire plugs, except in case of fire, he, she or they so offending shall be subject to a penalty of not less than five, nor more than one hundred dollars, to be recovered before any justice of the peace, as debts under one hundred dollars are recovered, one-half to go to the informer, who shall be a competent witness, the other half to the company.

Penalty for polluting water.

SECTION 2. That if any person or persons shall put, or cause to be put, or in any way introduce into the river, dam or reservoir, from which the water of said company is taken or supplied, any noxious or offensive matter, or shall go in to swim or bathe in the said reservoir or reservoirs, or shall do or cause to be done, any act or acts whatever whereby any building, construction or works of said company, or any gas or water pipe, gas post or fire plug, gas burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by a fine of not less than twenty, or more than one hundred dollars, or be imprisoned for a period of time not less than ten days, nor more than one year, or both, at the discretion of the court: *Provided*, That such prosecution shall in no way impair the right of said company to a full compensation in damages by a civil suit.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 791.

A Supplement

To an act to repeal an act, entitled "An Act establishing a law library in Beaver county, for the use of the citizens thereof, and appropriating fines, forfeitures, penalties and forfeited recognizances accruing in said county for its use," approved February eighth; Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act, entitled "An Act establishing a law library in Beaver county, for the use of the citizens thereof, and appropriating fines, forfeitures, penalties and forfeited recognizances accruing in said county for its use," approved February eighth, Anno Domini one thousand eight hundred and seventy-one, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 792.

An Act

For the relief of the heirs of Corn Planter, an Indian Chief.

WHEREAS, This commonwealth, by an act passed in the year one thousand seven hundred and ninety-one, authorized the governor to grant several tracts of land on the Allegheny river, unto Corn Planter, a friendly Indian Chief, for meritorious services rendered by him to the people of this state: Preamble.

And whereas, Patents were duly issued to him therefor in fee, and he died intestate, seized of about seven hundred and eighty acres, leaving descendants who have increased in numbers, many of whom have petitioned this legislature for the relief in this act contained; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for a majority of the descendants of Corn Planter, now entitled as his heirs to lands of which he died seized, situated in the county of Warren, in this commonwealth, to present their petition to the orphans' court of said county, thereby praying the said court to cause all said lands to be divided among all the heirs of said Corn Planter, as they may be entitled to share them according to law, and therein to nominate three competent disinterested men, citizens of Pennsylvania, to be appointed by said court, to make such partition and allotment of shares as they may think just and equitable, having regard to value and the location of the improvements made by the parties interested, and to pray also for the appointment of guardians for any parties being minors; and the said three men so appointed by said court, shall have all the powers of commissioners or an inquest to Descendants of Corn Planter may petition court for partition of land, &c.

make partition, and shall make the allotments and report their proceedings to said court, and when confirmed by the said court, such partition shall be and remain firm and stable forever.

Advertisement in case of failure to appear.

SECTION 2. Should any of the parties interested fail to appear in court by petition, or answer, it shall be lawful for said court to order a citation to issue to such parties as provided by law, in respect to partitions in such court, which may be served within or out of the state, and if such parties are not found, advertisement may be made for them according to law; which services may be made by disinterested persons, and made to appear by affidavit filed of record.

Owners of purparts may sell to any of the Seneca nation.

SECTION 3. That after the division of said lands, the owners of the purparts of lawful age, and those under disability by authority of the proper court, may sell and convey their allotments, or any part or parts thereof, to any of the descendants of said Corn Planter, or any member of the Seneca nation of Indians, in fee, who shall hold the granted lands subject to this act; but none of such lands shall be aliened or devised to others than such descendants or members of the Seneca nation of Indians, without the authority of the legislature first had therefor, nor shall such lands, while held by the descendants of Corn Planter, or members of the Seneca nation of Indians, be liable to taxation, to the lien of any judgment, mortgage or claim, or to any execution, or to any judicial sale, except to descendants of Corn Planter, or to members of the Seneca nation of Indians as aforesaid.

Alienation to others, prohibited.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 793.

An Act

Relative to the election of commissioners' clerk in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the qualified electors of the county of York shall, at the general election on the second Tuesday of October next, and every two years thereafter, elect one person to fill the office of clerk to the commissioners for said county; and so much

Clerk to commissioners to be elected.

of any act or acts of assembly as authorize the appointment of said officer by the commissioners, be and the same are hereby repealed.

SECTION 2. That the salary of the clerk to the commissioners of York county shall be fixed at the sum of ten hundred dollars per annum, from the first Monday of November next, and shall be paid at that rate, monthly, by the county treasurer, out of the funds of said county. Salary.

SECTION 3. That all contested elections of clerk to the commissioners shall be conducted and decided in the same manner as is now provided by law for contesting the election of county officers; and if any vacancy shall occur, either by death, resignation or other cause, the judges of the court of common pleas, or a majority of them, shall supply such vacancy by the appointment of a competent person to fill such vacancy until the next general election, to hold such office until his successor shall be duly qualified, on the first Monday of November succeeding such election. Contested elections. Vacancies.

SECTION 4. That the said clerk so elected shall enter upon his duties on the first Monday of November next succeeding his election: *Provided, nevertheless,* That such clerk shall be first sworn or affirmed, before some competent authority, to discharge the duties of his office with fidelity. Commencement of term. Clerk to be sworn.

SECTION 5. That said clerk, before entering upon the duties of his office, shall enter into a bond in the sum of five thousand dollars, with at least two sufficient sureties, to be approved by the judges of the court of common pleas, for the faithful performance of the duties of his said office. To give bond.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO W. GEARY

No. 794.

An Act

To incorporate the trustees of the Pittsburg Synod of the Reformed church in the United States.

WHEREAS, The ministers and elders forming the Pittsburg Synod of the Reformed church in the United States, consisting of citizens of the state of Pennsylvania, and of others of the United States of America, have represented that by donations, bequests or otherwise, of charitably disposed per-

sons, they are possessed of moneys for benevolent and pious purposes, and the said ministers and elders have reason to expect further donations for similar use, but from the scattered situation of the said ministers and elders and other causes, the said ministers and elders find it very difficult to manage the said funds in the way best calculated to answer the intention of the donors ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. George Reiter, Senior, William E. Schmertz, David Hay and John J. Swander, citizens of the state of Pennsylvania, and John B. Kniest, a citizen of the state of New York, and their successors, duly elected and appointed in manner as is hereinafter directed, be and they are hereby made, declared and constituted a corporation and body politic and corporate, to have continuance forever, by the name, style and title of the Trustees of the Pittsburg Synod of the Reformed church in the United States, and by the name, style and title aforesaid shall forever hereafter be persons able and capable in law, as well to take, receive and hold all, and all manner of lands, tenements, rents, annuities, franchises and other hereditaments, which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, bequeathed, devised or otherwise conveyed to or acquired by the said ministers and elders of the Pittsburg Synod of the Reformed church in the United States, or any other person or persons, to their use, or in trust for them ; and the same lands, tenements, rents, annuities, liberties, franchises and other hereditaments, including personal property, are hereby vested and established in the said corporation and their successors forever, according to the original use and intent with which such devises, bequests, gifts and grants were respectively made ; and the said corporation and their successors are hereby declared to be seized and possessed of such estate and estates therein, and by the respective grants, bargains, sales, enfeoffments, releases, bequests, deviser and other conveyance thereof, is or are declared, limited or expressed ; also that the said corporation and their successors, at all times hereafter, shall be capable and able to purchase, have, receive, take, hold and enjoy, in fee simple, or of lesser estate or estates, any lands, tenements, rents, annuities, franchises and other hereditaments, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise of any person or persons, bodies politic and corporate, capable and able to make the same ; and further, that the said ministers and elders, under the corporate name aforesaid, and their successors, make, take and receive any sum or sums of money, and any portion of goods and chattels that have been given to the said ministers and elders, or that hereafter shall be given, sold, leased, devised or bequeathed to the same corporation, by any person or persons, bodies politic or corporate, that is able or capable to make a gift, sale, bequest or other disposal of the same ; such money, goods or chattels to be laid out and disposed of for the use and benefit aforesaid, agreeably

Name.

Powers and privileges.

to the intention of the donors, and according to the objects, articles and conditions of this act.

SECTION 2. That no misnomer of the said corporation and their successors shall defeat or annul any gift, grant, devise, bequest to or from the said corporation: *Provided*, The intent of the parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or from the said corporation. Misnomer.

SECTION 3. That the said corporation and their successors shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall think fit and proper, and the same to break, alter and renew at their pleasure. Seal.

SECTION 4. That the said corporation and their successors, by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded in any court or before any judge or justice, in all and all manner of suits, complaints, pleas, matters and demands of whatsoever nature, kind and form they may be, and all and every matter and thing to do in as full and effectual manner as any other person or persons, bodies politic and corporate within this commonwealth may or can do. Additional privileges.

SECTION 5. That the said corporation and their successors shall be and are hereby authorized and empowered to make, ordain and establish by-laws and ordinances, and do everything incident and needful for the support and due government of the said corporation, and managing the funds and revenues thereof: *Provided*, That said by-laws be not repugnant to the constitution and laws of the United States, to the constitution and laws of this commonwealth, to this act, or to the constitution, laws and regulations of the Pittsburg Synod of the Reformed church in the United States. By-laws.

SECTION 6. That the said corporation shall consist of five persons, neither more nor less, who shall be members of the Reformed church, and continue to be members of the said corporation for the term of five years each, the term of office to end always on the first day of January; and the said Pittsburg Synod of the Reformed church in the United States shall annually change one-fifth of the said board or corporation, in such manner as to the said synod shall seem proper; but the same person may not be re-elected until after he shall have ceased to be a member of the said board or corporation for at least one year: *Provided however*, That the aforesaid trustees shall continue in office as follows: One of them until the first day of January, in the year of our Lord one thousand eight hundred and seventy-two; one until the first day of January, one thousand eight hundred and seventy-three; one until the first day of January, one thousand eight hundred and seventy-four; one until the first day of January, one thousand eight hundred and seventy-five, and one until the first of January, one thousand eight hundred and seventy-six; these different terms of office to be distributed by lot or otherwise, by the said corporation, among themselves at their first meeting; and further, if the place of any member of the said corporation be made vacant by death, resignation or Number of members, fixed.
Terms.

Vacancies.

otherwise, it shall be the duty of the remaining members of the said corporation, at the first meeting held at which such vacancy shall become known, to elect and appoint a person who is a member of the Reformed church, to the office of trustee or a member of the said corporation, who shall, however, hold office only for the unexpired term of the member creating such vacancy; and the person thus elected by the said corporation shall not be re-eligible by the synod aforesaid, until after he has ceased to be a trustee, for the period of at least one year; and further, if the synod aforesaid fail during any year to change one-fifth of the members of the board or corporation, then the vacancy occurring on the first day of January, according to provisions and restrictions of this act, shall be filled by the said corporation; and the person thus elected and appointed shall be a member of the said corporation for the term of five years.

Corporation may manage all property committed to their care.

SECTION 7. That the corporation aforesaid shall have power and authority to manage and dispose of all moneys, goods, chattels, lands, tenements and hereditaments, and other estate whatsoever committed to their care and trust by the said Pittsburg Synod of the Reformed church in the United States; but in cases where special instructions for the management and disposal thereof shall be given by the said synod in writing, under the hand of their clerk, it shall be the duty of the said corporation to act according to such instructions: *Provided*, The said instructions shall not be repugnant to the constitution and laws of the United States or the constitution and laws of this commonwealth, or to the provisions and restrictions in this act contained.

Officers.

SECTION 8. That the said corporation shall and may have a president, vice president, who shall also be the secretary or clerk, and a treasurer; the president and vice president to be chosen by the said corporation out of their own number, as often as they shall see proper, and according to the rules by them to be prescribed; but the treasurer to be elected annually by the said synod from among the numbers of the said corporation, in such manner as to the said synod shall seem proper; and the same person shall be re-eligible to the office of treasurer by the said synod, from year to year, so long as he continues to be a member of the said corporation; and the said corporation shall have authority to appoint such other officers and servants as shall by them, the said corporation, be deemed necessary; to all of which officers the said corporation may assign such a compensation for the services and such duties to be performed by them, to continue in office for such time and to be succeeded by others in such way, the treasurer being excepted, conformably to the provisions of this act, as the said corporation shall direct.

Quorum.

SECTION 9. That three members of this board or corporation, whereof the president, or in his absence the vice president, shall be one, shall be a sufficient number to transact the business thereof, and to make by-laws, rules and regulations: *Provided*, That previous to any meeting of the board or corporation for such purposes, not appointed by adjournment, ten

days' notice shall be previously given thereof by a circular sent by mail, or otherwise, to each member of the corporation.

SECTION 10. That the said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements, in a book or books to be provided for that purpose; and their treasurer shall, once in every year, exhibit to the Pittsburg Synod of the Reformed church in the United States, an exact state of the accounts of the corporation. Accounts.

SECTION 11. That the said corporation may take, receive, purchase, possess and enjoy messuages, houses, lands, tenements, rents, annuities and other hereditaments, real and personal estate, of any amount not exceeding ten thousand dollars yearly value; but the said limitations not to be considered as including the annual collections and voluntary contributions made in the churches under the care of the said Pittsburg Synod of the Reformed church in the United States. May hold real estate. &c.
Limitations.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 795.

A Supplement

To an act incorporating the City Bank of Scranton, approved the twentieth day of March, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style and title of the City Bank of Scranton shall be and the same is hereby changed to that of the Merchants' and Mechanics' Bank of Scranton.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 796.

An Act

To authorize the Bell's Gap Railroad Company to decrease the number of directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Bell's Gap Railroad Company shall and may decrease the number of its directors, by a vote of the stockholders, to any number not less than five, who shall have all the powers now allowed by law to the directors of said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 797.

An Act

To incorporate the Twenty-second Ward Bank of Germantown, to be located in the Twenty-second ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Josiah F. Jones, Robert Williams, Robert Steele, H. H. Houston, John Clark, H. B. Bruner, Samuel Collum, Thomas W. Middleton, Reuben U. Sallade, Edward Bennett, Charles H. Longmire, Vincent L. Bradford, Joseph Boucher, Charles S. Pancoast and David Webster, their proxies, assigns, associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Twenty-second Ward Bank of Germantown, to be located in the Twenty-second ward of the city of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatever, may have a common seal, may renew or alter the same; also may

Corporators.

Name.

Powers and privileges.

have the right to own and hold real estate, and improve or dispose of the same at pleasure.

SECTION 2. The capital stock of said bank shall consist of ^{Capital.} five hundred shares, of the value of one hundred dollars each, with the privilege of increasing the same from time to time, ^{Increase.} by a vote of the directors, to an amount not exceeding five thousand shares of like value per share; and when the capital stock is so increased the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

SECTION 3. The corporators, or a majority of them, shall ^{Subscriptions.} have power to open books for subscriptions to the capital stock, at such times and places as they may deem expedient; and when two hundred shares or more of said stock shall have been subscribed, and twenty thousand dollars of the capital stock paid in, the stockholders may elect a president and six directors, to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve to be filled by the board.

SECTION 4. The said bank shall have power, and may bor- ^{Business.} row or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

SECTION 5. The board of directors shall make all by-laws ^{By-laws, &c.} necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or of the United States, and shall have power to require payments of any amount remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

SECTION 6. The said bank may receive money to keep for ^{May receive de-} its depositors, either with or without interest payable thereon, ^{posits, buy} and may buy or sell bullion, buy, sell, draw or negotiate bills ^{bullion, &c.} of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and the borrowers.

Financial agent SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable, literary, manufacturing, financial and religious institutions and other corporations, and as financial agent of the state of Pennsylvania and other states, of city governments, and counties, and districts, in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of the duties, if required.

Dividends. SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may seem proper.

Election of officers. SECTION 9. The annual election for the president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; twenty days' notice, by publication in one or more daily newspapers, shall be given of the time and place where such election will be held; and said election shall be conducted according to the by-laws.

Bonus and taxes SECTION 10. That the said corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per cent., in four equal payments, and such taxes as are now or may hereafter be required by law; and this charter shall continue for twenty years.

Limitation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 798.

An Act

To incorporate the Pennsylvania Rubber Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That E. H. Burlingame, and such persons as may associate with him, and their successors and assigns, be and they are hereby authorized to form and be a body corporate, under the name and style of the Pennsylvania Rubber Company, and to have the same rights and privileges as are contained in an act incorporating the Continental Improvement Company, approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, and be subject to all the duties enjoined by said act.

Corporators.
Name.
Powers and privileges.

SECTION 2. That the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawana Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

Individual liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 799.

An Act

To enable the school directors of the borough of Mount Washington, in the county of Allegheny, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the borough of Mount Washington, in the county of Allegheny, be and they are hereby authorized and empowered to borrow an amount of money not exceeding ten thousand dollars, for a term of years not exceeding ten years, and to issue bonds or certificates of indebtedness for the same, in sums not less than one hundred dollars each, with or without coupons, bearing interest at a rate not exceeding eight per centum per annum; said bonds or certificates to be executed by the president, and countersigned by the secretary of the board, and shall be exempt from taxation under the laws of this commonwealth, except for state purposes: *Provided*, That all loans so made shall be

School directors may borrow money.

Issue bonds.

Rate of interest.

Exempt from local taxation.

applied exclusively to the purchase of ground and the erection of suitable school buildings thereon, for the use of the public schools of the said borough.

May levy additional tax.

SECTION 2. That for the purpose of paying the interest on said bonds or certificates as it accrues, and redeeming said bonds or certificates at maturity, the said board of school directors are empowered to levy an annual tax, not exceeding one per centum, to be levied and collected in the same manner as school taxes are now levied and collected in said borough, and to be exclusive of any tax now authorized by law; said tax hereby authorized, to cease upon the payment of said bonds or certificates.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 800.

An Act

To incorporate the Birmingham Insurance Company of Birmingham, Allegheny county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That from and after the passage of this act, John P. Heisel, George Englekling, John Eitsmiller, Ernest G. Krehan, Ernest Rohrkaste, Bernard Krugh, Jacob Knœpp, Andrew Heuger, Louis Kuehneisen, Frederick Maul, Jacob Och, Adam Franz, Miles S. Humphreys and George N. Monro, all of Allegheny county, are hereby appointed commissioners, who or any five of them are authorized and empowered to establish a fire insurance company, to be located in the borough of Birmingham, Allegheny county, Pennsylvania, by the name, style and title of the Birmingham Insurance Company, with a capital stock of one hundred thousand dollars, with the privilege of increasing the same to two hundred thousand dollars.

Insurance company, authorized.

Name.
Capital.

Subject to general law.

SECTION 2. The company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and be limited to the risks designated in the first clause of section seventh of said act; and that section third

of said act be so amended, as to allow the payment of the stock of this company to be made in lawful money of the United States; the first payment of five dollars per share to be made at the time of subscription, the residue to be paid as the by-laws of the corporation shall direct.

Relative to pay-
ment of stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 801.

An Act

To secure to laborers a lien for their labor in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

'That all wages that may be due from any person, or persons, to any workmen or laborer for work and labor done in, upon and about the cutting, peeling, skidding and hauling of saw-logs, squared timber and other lumber, in the county of Centre, shall be a lien, for period not exceeding six months, upon all such saw-logs, squared timber and other lumber, and shall be paid before said lumber shall be removed by the owner, or contractor under such owner; and said debts shall be first preferred and paid out of the proceeds of a judicial or assignee's sale of such lumber.

Lien on lumber
for wages due
laborers.

SECTION 2. For the purpose of enforcing the liens provided for by the first section of this act, it shall and may be lawful for any such laborer or workmen to issue an attachment against the owner of such lumber, or the contractor under such owner, upon proof by the affidavit of the plaintiff on said attachment, or his agent or attorney, that the defendant or defendants are justly indebted to him in the sum claimed, in which affidavit the kind of work and labor done, the time when the same was done and the nature thereof, the kind of lumber against which the lien is to be enforced and where the same is situated, shall be set forth.

Lien may be en-
forced by at-
tachment.

SECTION 3. Every such attachment shall be issued out of the court of common pleas of Centre county, and shall be made returnable on the first return day of said court next after the issuing thereof, and shall be served by the sheriff of said county, or by some general or special deputy by him

Proceedings on
attachments.

appointed, by attachment so much of said logs, timber or other lumber of said defendant as will be sufficient to pay the amount of debt demanded in said writ, with costs, and shall deliver to the defendant, or defendants, a copy of said attachment, with a schedule of the property attached, if said defendant can be found within the county, and if not found within the county, by leaving a copy of the same at his or their residence, with an adult member, and if the defendant does not reside in said county, and cannot be found therein, then by leaving a copy of said attachment and schedule with the person in whose possession and care said lumber may be found.

Act relative to fraudulent debtors, applicable.

SECTION 4. That the provision of the third and fourth sections of the act of assembly, approved seventeenth March, one thousand eight hundred and sixty-nine, entitled "An Act relative to fraudulent debtors," are hereby made parts of this act, and made applicable to all proceedings under this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 802.

An Act

To erect an independent school and read district from a part of North Lebanon township, in the county of Lebanon.

Boundaries of new school district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that part of North Lebanon township, in the said county of Lebanon, lying between the following described boundaries, namely: Beginning at a point on the Union canal, in said township, at corner of lands of R. W. Coleman's heirs and G. D. Coleman; thence by said line to the line of Joseph T. Light and said G. D. Coleman's land, to a point to be in range with said G. D. Coleman's lane; thence through said Coleman's land, and by his lane, and line of said Coleman's land, and land of Joseph Gingrich, to the Jonestown road; thence by the line of lands of Joseph Gingrich and Charles B. Forney to the Fredericksburg road; thence by a straight line to the north end of Brown street, not yet opened, where said street intersects the road leading to Kimmerling's church;

thence along the said Brown street to a point at the south side of Mount Lebanon cemetery ground ; thence along the south side of said cemetery ground (the part intended for ornament) eastwardly to Cemetery road ; thence along said road to Miller street ; thence south to the Union canal, and along said canal westwardly to the place of beginning, shall be and the same is hereby established, erected and incorporated into a separate and independent district from the remainder of the said township, for school and road purposes, and shall be known by the name of the North Lebanon Independent school and road district.

Name.

SECTION 2. That the qualified voters embraced within the boundaries of the said district shall, on the third Tuesday of June, Anno Domini one thousand eight hundred and seventy-one, at the house of Andrew Light, in said district, between the hours of one and six o'clock post meridian, elect six school directors, two to serve one year, two to serve two years, and two to serve three years ; one supervisor to serve for one year, and two auditors to serve one year ; and annually thereafter, on the third Tuesday in June, in like manner, an election shall be held to elect two school directors for said district, to serve for three years, one supervisor to serve for one year, and two auditors to serve for one year for said district ; and Theodore Kline is hereby authorized to act as judge, and Gideon Light and Cyrus Schools as inspectors, to hold and conduct the first election, and which shall be held as other elections for township officers are conducted and held ; and at said election the said qualified voters shall also elect one judge and two inspectors for the next ensuing election, and at the said election each year thereafter a judge and two inspectors shall be elected : *Provided*, The election officers shall be paid out of the independent school and road district treasury.

First election of directors, supervisor and auditors.

Annual election

Election officers.

Compensation.

SECTION 3. The judge and inspectors above appointed, and to be afterwards elected, shall give at least ten days' public notice of the time and place of said election, by written or printed handbills, put up in three of the most public places in said district.

Notice of election to be given.

SECTION 4. The said school directors are hereby authorized and empowered, in each and every year, at the time of making assessments for state and county purposes, in a separate book for that purpose, to assess all property, professions, trades, occupations and persons within said district, subject under the school laws of this commonwealth, to appoint a treasurer and tax collector for said district, and cause said taxes to be collected and applied to school purposes in said district ; said treasurer and collector shall give bail, if required.

Directors may assess taxes.

Treasurer and collector

SECTION 5. The said supervisor and the said auditors shall have, use, perform and enjoy, over the roads of the said district and over the accounts of the said supervisors, and for the collection of taxes therein for road purposes, all the authority, power, control and jurisdiction that now by law belongs to, or may hereafter be conferred upon, township supervisors and auditors by the laws of this commonwealth ; and all property, professions, trades, occupations and persons

Duties of supervisor and auditors.

Court to adjust
indebtedness.

within said district shall be free from any imposition of school and road taxes by the school directors, supervisors and auditors of the township of North Lebanon: *Provided however*, That the court of common pleas of Lebanon county, setting in equity, shall have power, upon the application of the proper authorities of the said township or of the said district, by a suit or suits in equity, to adjust all matters of indebtedness between the remaining portion of the said township and the said district; and the said court, in any such suit or suits, may make such orders and decree as may be necessary, with the same force and effect as is now by law provided in the case of the erection of a new township out of an old township; and in the execution of any such order and decree, the said supervisor and the auditors of the said district shall have the same power and authority to levy and collect taxes as the proper officers of a new township, erected out of an old township, now by law have.

District to re-
port annually to
state superin-
tendent.

SECTION 6. The said district shall hereafter make annual school reports to the state superintendent of common schools, in the same manner as other school districts are required by law to make reports, and be entitled, annually, to receive its proper quota of the state appropriation to common schools; and said district shall be under the jurisdiction of Lebanon county, so far as it relates to the county superintendent.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 803.

An Act

To facilitate the collection of taxes in the borough of Pittston, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the collector of borough or school taxes for the borough of Pittston, in the county of Luzerne, shall have received a duplicate with warrant for the collection of taxes, such collector shall immediately thereafter cause notices of the reception thereof to be posted up in five public places in each ward of said borough, and shall designate in such notice

Collectors of
borough and
school taxes to
give notice.

a central and convenient place in such borough, where he will attend, from nine o'clock forenoon, till six o'clock afternoon, at least once in each week, for eight successive weeks, on a day also to be specified in such notice, for the purpose of receiving payment of taxes, and it shall be the duty of such collector to attend accordingly; and any person may pay his taxes to such collector at the time and place so designated, or at any other time and place during said eight weeks, on paying the amount of tax with which such person stands charged.

To attend at place designated.

SECTION 2. That it shall be the duty of such collector after the expiration of said eight weeks, the notices mentioned in the first section having been given, to proceed and collect the unpaid taxes, with five per centum added, by distress and sale as is now provided by law; and such collector shall account for the amount of such additional taxes in the settlement of his duplicate.

Penalty to be added after expiration of eight weeks.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 804.

An Act

To vacate Hart lane, from Twenty-second to Twenty-seventh streets, in the Twenty-eighth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hart lane, in the Twenty-eighth ward of the city of Philadelphia, from Twenty-second street to Twenty-seventh street, be and the same is hereby vacated; and the title to the soil over which the same now passes, be and the same is hereby vested in fee simple in the several owners of the ground fronting on the said lane respectively.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 805.

An Act

To authorize the school directors of Hyde Park to issue bonds and to pay indebtedness.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Hyde Park school district, in the county of Luzerne, be authorized to issue bonds and to borrow money upon the same, to a sufficient amount to pay the present indebtedness; said bonds not to be in sums less than one hundred dollars each, and to bear no greater rate of interest than seven and a half per centum per annum, and may pay the same from time to time, out of any money in the treasury either from the school or building fund: *Provided,* That no greater amount than eight thousand dollars shall be borrowed under this act.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 806.

A Supplement

To an act, entitled "An Act to incorporate the city of Franklin, in the county of Venango," approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate authorities of the city of Franklin shall have power and authority, in addition to the powers conferred by the general borough laws, and the act to which this is a supplement, to pave, in such manner as they may deem for the best interests of said city, any streets, courts or alleys in said city, and upon the completion of such paving, to assess

Corporate authorities may assess properties for costs of grading, paving, &c

for contribution against the respective properties fronting or adjacent thereto, whether improved or unimproved, and the owners thereof, the *pro rata* costs and expenses of said paving in front of each respective lot or property, according to the front width thereof, to the middle of every such street, court or alley; and in all cases of neglect or refusal of the owners of said properties to pay said city authorities said *pro rata* costs and expenses, within thirty days after notice, said city authorities may proceed to collect the same, with ten per centum additional, by suit in an action at law, or upon liens filed in the nature of a mechanic's lien, according to the provisions of an act of assembly relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, and its several supplements: *Provided*, That upon the completion of the paving of any street or streets, court or alley or alleys in said city, and upon payment therefor being made in full by the property holders as aforesaid, it shall be the duty of the city council to exonerate, from year to year, the owner or owners of all property fronting on the street or streets, court or courts, alley or alleys so paved, from the payment of all road taxes on such property, until said property holders shall have been reimbursed for the principal moneys so expended by them as aforesaid.

May collect, with addition of ten per cent., after thirty days

Liens.

May make exonerations.

SECTION 2. That the corporate authorities of the city shall have power to construct sewers or culverts through any of the public streets or alleys of the city, the cost of which construction shall be assessed upon the properties fronting on such streets or alleys through which a sewer or culvert may be made, and also upon such other properties as may be drained or benefited by reason of such sewers or culverts, in proportion to the benefit which such properties may receive, and to collect the same as city taxes are now collected.

May construct sewers, &c., and assess properties for costs.

SECTION 3. Should any doubts arise as to the amount which each property, and those drained or benefited by such sewers or culverts would have to pay, the council shall have power to appoint three disinterested persons, in conjunction with the city engineer, to view the premises, and apportion the cost of construction, in as equitable a manner as can be, to each property.

Viewers may be appointed to apportion costs.

SECTION 4. That the corporate authorities of the city shall have power to enact, in such manner as to them shall appear proper and expedient, all ordinances and laws relating to the owner or lessees of carts, wagons, drays, carriages, omnibuses and other vehicles of burden or pleasure, using the streets or alleys of said city, requiring them, under such penalty of such fines as the council may direct, to register such carts, wagons, drays, carriages and omnibuses at the office of the city clerk, and to take out annually a license and pay for the same a sum not exceeding twenty dollars; and it shall be the duty of the mayor to issue a license to any person applying for the same, upon payment of the license fee, and to pay said license fee into the city treasury for the use of the city.

May enact ordinances relative to carriages, &c.

License.

SECTION 5. That the corporate authorities shall have power to abate any public nuisance and require the removal of the

May abate public nuisances, &c.

same by the owner or occupier of the grounds on which the same may be, in default of which they may cause the same to be removed, using such force as may be necessary, and collect the costs thereof by suit from such owner or occupier, with twenty-five per centum advance thereon, together with costs, in the manner in which debts of like amount are recoverable by law, and without the right of exemption of property, real or personal, from levy and sale on execution.

May levy tax on hotels and saloons to pay police.

SECTION 6. That the corporate authorities shall have power to assess and levy upon and against the owner, occupant or lessee of every inn or hotel, restaurant and saloon, within said city, in which vinous, spirituous, malt and brewed liquors are sold, an annual tax not exceeding fifty dollars each, to be applied toward the payment of the police force of said city, and for this purpose may provide for the granting of city licenses on such terms and subject to such penalties as they may deem expedient: *Provided*, Said penalty shall in no case exceed the sum of fifty dollars: *And provided also*, That no city license shall issue under this section except in cases where licenses have been granted by the court of quarter sessions of Venango county, as required by law.

Proviso.

Tax on theatrical exhibitions, &c.

SECTION 7. That the owners of halls or public rooms in said city, used for theatrical performances, shows, museums, or public exhibitions, or lectures, shall pay to the treasurer of Venango county, for the use of the commonwealth, the sum of twenty dollars, and to the city treasurer, for the use of said city, the sum of eighty dollars annually, in lieu of the license imposed by the fifth section of an act, approved the second day of April, one thousand eight hundred and sixty-nine, relative to the city of Franklin.

Repeal.

SECTION 8. That such provisions of the charter of the city of Franklin, or any supplement to said charter, or any act of assembly relating to said city, as are inconsistent with the provisions of this act, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 807.

An Act

Relative to public roads in South Union and Dunbar townships, in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act it shall be lawful for the qualified voters of the townships of South Union and Dunbar, county of Fayette, at their next township election, to elect one suitable person in South Union township and two in Dunbar township, to act as commissioners of public roads in said townships, to serve for the term of one year, whose duty it shall be, within twenty days after their election, to divide all the public highways in said township into sections not exceeding one mile in length, which they shall number and describe in a book kept by them for that purpose; they shall also distinctly specify therein what they may deem necessary for the improvement and keeping in repair each section of said public highway, for the term of three years; one of which specifications shall be that the bed of the road shall be raised in the middle, and slope gradually each way to the sides, where ditches or drains shall be kept open of sufficient depth and width to carry off the water, and that all loose stones shall be removed from the road or covered with earth.

Road commissioners to be elected.

Terms.

Highways to be divided into sections and registered.

Specifications.

SECTION 2. That it shall be the duty of said commissioners to expose all the said public highways, one section at a time, at public sale, to the lowest and best bidder, commencing on the third Monday in April next, and to continue from day to day until all are sold, and every three years thereafter, of which sale at least ten days' notice shall be given, by not less than ten handbills posted in the most public places in said townships: *Provided*, That all persons to whom contracts shall be awarded shall give bond, with one or more sufficient sureties, for the faithful performance of their contracts, in such sum as the commissioners may require.

Sections to be sold to lowest bidder.

Notice.

Contractors to give bond.

SECTION 3. That the commissioner shall divide all roads that may hereafter be laid out in said township, into sections not exceeding one mile in length, number and describe them, specify the nature and character of the work to be done, et cetera, as provided, within twenty days of the time he receives the order for the opening of any road, and after giving ten days' notice thereof shall proceed to sell the same at public vendue, in manner and form already provided, for such a length of time as he may deem necessary for the opening of the same; after which they shall be kept in repair in the same manner as other roads in the townships.

New roads to be divided and allotted in same manner.

SECTION 4. That it shall be the duty of each purchaser to write his or their name, and the sum he or they are to receive for repairing his or their section or sections, in the commis-

Duties of purchasers of sections.

sioner's book, under the description thereof; and any contractor or contractors neglecting or refusing to keep his or their section or sections in repair in conformity thereto, upon complaint of any citizen of said townships, made to the commissioners thereof, it shall be their duty to examine thereinto within four days, and if they deem the complaint well founded, to give notice thereof to the party or parties so complained of, and request him or them to put his or their portion of road in good repair, within six days thereafter; and if he or they shall still neglect or refuse to repair the same, it shall be the duty of the said commissioners to have the same put in good repair and the cost of said repairs shall be recoverable by said commissioners from said contractor or contractors, as other debts of equal amount are by law recoverable, with costs of suit; and it shall not be lawful for the commissioners to become the purchaser of any contract herein authorized to be allotted.

Commissioners to inspect roads.

SECTION 5. That it shall be the duty of the commissioners to inspect all the roads in the townships, at least once in every two months, and if they find any contractor or contractors have neglected to fulfil his or their contract or contracts, to give notice thereof as provided in the preceding section, in case of complaints being made, and to enforce the same.

Commissioners to levy tax annually.

SECTION 6. That it shall be the duty of the commissioners, as soon as practicable after the sale of said public highways, and annually thereafter, to proceed to lay such a rate of tax, not to exceed one-third of one per cent. upon the adjusted valuation for county purposes, and to provide for collecting the same in current money, as will meet the sale and other expenses incident to the making and keeping in repair said public highways in each year; and in no case, except such as is hereinafter provided for, shall any contractor or contractors receive more than one third part of the amount of said sales in any one year.

Contractors removing may give up unexpired contracts.

SECTION 7. That it shall be lawful for any contractor or contractors who may remove out of the townships, to yield up to the commissioner the unexpired portion of his or their contract or contracts, by giving due notice thereof, in writing, at least twenty days before the next election for commissioners; and the unexpired term of such contract or contracts so yielded up, and any section of new road that may have been opened, shall be sold at private sale by the commissioners, for the unexpired portion of the tri-ennial term: *Provided*, That in case of death or removal out of the townships, the commissioners shall pay to the representatives of such person, so deceased, or such person so removing, such portions of the money specified in their respective contracts as he shall believe them justly entitled to.

How disposed of

Proviso.

Commissioners may reject bids.

SECTION 8. That the commissioners shall have the right to reject any bids that they may deem too high, and sell such section or sections at private sale.

Compensation.

SECTION 9. That the commissioners shall keep a regular account of the kind of services performed by them, with the date thereof; and they shall be allowed two dollars each for every

day necessarily employed in discharging the duties of said office.

SECTION 10. That the commissioners shall annually, at the close of their term of office, settle their accounts with an auditor, to be appointed by the court of quarter sessions of Fayette county; for which service the said auditor shall be paid five dollars. Annual settlement of accounts.

SECTION 11. That it shall be the duty of the commissioners also to collect the road taxes assessed, and they shall enter into bond, with sufficient security, to be approved by the court, for the collection of the same, and the performance of the duties of commissioners as aforesaid. Commissioners to collect road taxes.

SECTION 12. That any commissioner duly elected, neglecting or refusing to perform the duties herein assigned him, shall be subject to all the fines and penalties as now provided by law. Penalty for neglect of duty.

SECTION 13. That such parts of the existing road law of said townships as are inconsistent with this act are hereby repealed. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 808.

An Act

Relative to the collection of school tax in the borough of Coatesville, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all taxes assessed in the borough of Coatesville, in the county of Chester, for school purposes, after the school year ending June first, one thousand eight hundred and seventy-one, shall be paid to the treasurer of the school board of said borough, under the regulations hereinafter provided. School taxes to be paid to treasurer.

SECTION 2. That it shall be the duty of the school board of said district, immediately after they receive the transcript from the commissioners, in each year, to deliver a duplicate or schedule thereof to the treasurer of said board. School board to make duplicate.

SECTION 3. That it shall be the duty of the treasurer of said school board, after he shall receive the said duplicate or Treasurer to give notice.

schedule, to give notice, in one or more newspapers, printed and published in said district, for three successive weeks, that he has received such duplicate of schedule, and is prepared to receive and receipt for the taxes therein charged.

Ten per cent. to be added to tax unpaid after October first, and duplicate given to constable.

SECTION 4. That in case any taxes for school purposes shall remain unpaid to the treasurer on the first day of October, in each year, it shall be the duty of the said treasurer to make out a duplicate of schedule of all such unpaid taxes, with the names of the persons against whom the same are charged, and after adding ten per centum of the amount thereof to each tax, shall deliver the same to the constable, high constable or any citizen of said borough, together with his warrant for the collection of the same; and the said constable, high constable or other person who may receive the said duplicates or schedule, is hereby invested with all the powers and authority for the collection of the said taxes, and the said addition of ten per centum, which are or may be vested in the collector or county rates and levies.

Collection and payment required within three months.

SECTION 5. The said constable, high constable or other citizen authorized as aforesaid to collect such unpaid taxes, shall collect the same within three months after the receipt of the warrant therefor, and shall, within the said time, pay over the same as collected, to the treasurer of said school district; and in default of payment, the said collector shall be subject to all the laws relating to collectors of taxes who are delinquent.

Collector to give bond.

SECTION 6. The said treasurer, before delivering to the collector his warrant for the collection of the unpaid taxes, shall require from him a bond, with security such as he shall approve, conditioned for the payment of the full amount of the taxes contained in the warrant and duplicate, (after deducting exonerations made by the said school board for mistakes, indigent persons and other causes wherein exonerations are now made by law allowed to collectors of taxes,) within three months after the delivery of such warrant as aforesaid.

Compensation.

SECTION 7. The said collector shall receive for his compensation for collecting said taxes the ten per centum added by the treasurer to the same as aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 809.

An Act

To incorporate the Crystal Lake Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That D. K. Morse, James Russel, George Simpson, John W. Williams, John E. Mills and Peter Rivenburgh, or any three of them, be and they are hereby appointed commissioners to open books, and receive subscriptions, and organize a company, by the name, style and title of the Crystal Lake Turnpike Road Company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating turnpike and plank road companies," approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, except so far as the same may be altered by this act.

Commissioners.

Name.

Subject to.

SECTION 2. That said company shall have power to locate and construct the said turnpike road, on or near any public highway, with full power to change the location of said turnpike road, and whenever the same may become necessary; and where said turnpike road shall be located on or near a highway, they shall have full power to change and alter such highway as may be necessary for the convenience and benefit of said turnpike road company; said turnpike road shall be built with partly clay or partly clay and stone, or all or either.

Authority to locate and construct turnpike road.

SECTION 3. That said company shall have power to locate and construct said turnpike from the Carbondale city line, on Fall Brook road, in Luzerne county, upon or near said road to the Baptist meeting house, near farm of James Kessler, in township of Greenfield, with branch from the late residence of Daniel Cole, on Fall Brook, to Crystal Lake hotel, near Luzerne county line; also, with another branch intersecting the above branch at the corners of Duty Kenyon, in Fell township, to the Carbondale city line, at or near the residence of Boland.

Location.

SECTION 4. That the capital stock of said company shall consist of one hundred and forty shares, of fifty dollars each: *Provided,* That said company may from time to time, at a meeting of stockholders called for that purpose, increase their capital stock to such an amount as they may deem necessary to finish or repair said road, according to the true intent and meaning of this act.

Capital.

Increase.

SECTION 5. That the president and managers of said company shall have power to establish and regulate rates of toll, not exceeding double the rates established by the act heretofore mentioned, and to erect toll-gates and collect tolls, whenever two miles of said turnpike road shall have been completed; and all acts or parts of acts that conflict with

Managers may regulate tolls, &c.

this act, or are inconsistent with the same, are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 810.

A Supplement

To an act incorporating the Susquehanna and Lehigh turnpike road, approved the nineteenth day of March, Anno Domini one thousand eight hundred and four, giving authority to vacate and supply portions of its road in Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Susquehanna and Lehigh Turnpike Road Company, or a committee of the same, acting by and with the authority of the said president and managers, are hereby authorized and empowered, with the consent of and by agreement with the owner or owners of adjoining lands, to view, vacate and supply any portion of their said turnpike road, in the township of Hazle, in the county of Luzerne; and any portion of said turnpike road which shall be thus vacated shall, when so supplied, cease to be a public road and shall become vested in the adjoining owners.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 811.

An Act

To incorporate the Lackawanna hospital of Scranton, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William N. Monies, John B. Smith, William F. Halstead, B. H. Throop, R. A. Squire, A. Davis, E. C. Fuller, William Merrifield, Henry Griffin, Charles Dowd, and W. W. Winton, and other contributors to the foundation and endowment of a public hospital and dispensary, in the city of Scranton, for the reception and care of the sick and injured, their associates and successors, be and they are hereby made and constituted a body politic and corporate, in law and fact, under the name, style and title of the Lackawanna hospital of Scranton, Pennsylvania, and shall have and enjoy all the rights, powers, privileges and franchises incident by law to a corporation, for the purpose of establishing, maintaining and managing a hospital and dispensary for the reception, care, medical and surgical treatment of the sick and injured.

Corporators.

Name.

Purpose.

SECTION 2. That except wherein the same shall conflict with this act, the several sections of an act, entitled "An Act to incorporate the Medical and Surgical hospital of Johnstown, Pennsylvania," approved April fifteenth, Anno Domini one thousand eight hundred and sixty-nine, are made applicable hereto.

Subject to.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 812.

A Supplement

To an act incorporating the Scranton Gas and Water Company, approved March sixteenth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Company may borrow money and issue bonds. That the Scranton Gas and Water company, in addition to the powers heretofore granted, shall have the right and power to borrow one hundred and fifty thousand dollars, and to issue bonds therefor, secured by mortgage upon the property of the company, bearing such rate of interest not exceeding ten per centum per annum, and payable at such times and places as the directors of said company may elect.

Rate of interest.

Capital may be increased.

SECTION 2. That the capital stock of said company may be increased from time to time, as the directors may elect, to an amount equal to the entire cost of the real and personal property of the company, not exceeding the sum of five hundred thousand dollars.

Annual meeting.

SECTION 3. The annual meeting of the stockholders, after the year Anno Domini one thousand eight hundred and seventy-one, shall take place on the first Tuesday in May in each year.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 813.

An Act

Supplementary to an act authorizing the governor to incorporate a company for erecting a bridge over the Monongahela, opposite Pittsburg, in the county of Allegheny, and to the act re-enacting the same, and the several supplements thereto.

Preamble

WHEREAS, In order to the free navigation of the Monongahela river, it is desirable that the suspension bridge over said river, erected at the end of Smithfield street, in the city of Pittsburg, should be removed and another bridge erected in its place, having a roadway elevated so as to give a greater height for the passage of boats; now, therefore, to enable the said company owning said bridge to remove the same and erect a suitable structure in its stead:

Authority to erect a bridge.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the company incorporated under the name and style of the president, managers and company for erecting a bridge over the river Monongahela, opposite the borough of Pittsburg, in the county of Allegheny, to erect a new, substantial and permanent bridge over the said river,

at the present site of the existing suspension bridge, erected at the end of Smithfield street, in the city of Pittsburg, on such approved plan as may be selected and determined upon by the board of managers of said company, and of enlarged width and capacity for the accommodation of travel, and to erect such new abutments and piers as may be necessary therefor, and repair, enlarge and raise any of the existing piers, and take down and remove the existing suspension bridge, heretofore erected by them, and such of the existing piers and abutments as may not be required for the new structure: *Provided*, That the floor or roadway of said new bridge shall be constructed at a height at least fifteen feet above the level of the present floor or roadway, and that the outer or river face of the abutments of said bridge, on both sides of said river, shall be situate between the high and low water lines of said river, and that such new bridge shall not have more than four piers in the river between said abutments: *And provided further*, That the said company shall commence the construction of such new bridge within two years from and after the passage of this act, and shall proceed, with all convenient dispatch, to the erection and completion of the same; and that they shall keep up and maintain the existing bridge in condition for travel for as long a time as they reasonably can during the construction and erection of such new bridge.

Location.

Abutments and piers.

Height of floor, &c.

To commence building within two years.

SECTION 2. That the said company may increase their capital stock to an amount not exceeding the sum of five hundred thousand dollars, by the issue of new shares of twenty-five dollars each; which new stock, or such portion thereof as the board of managers may deem it advisable to issue, they shall cause to be subscribed in books, to be opened by them for that purpose, at such time and times, and at such convenient place or places, as they may designate, or otherwise sold or disposed of from time to time as may be required by the exigencies of the work; and that the said managers shall fix the time or times for payment of said stock so subscribed or sold, or any instalment or instalments thereof, which shall be subject to like penalties for non-payment of instalments as are provided in the seventh section of the original act of the nineteenth day of March, one thousand eight hundred and ten, to which this act is a supplement.

May increase capital stock.

SECTION 3. That the proceeds of all the new stock subscribed or sold, as hereinbefore provided, shall be applied to the cost of constructing and erecting said new bridge, and the expenses incident thereto, and to the removal of the now existing structure, or also to the payment of the bonds hereinafter authorized to be issued for the construction of said new bridge.

Disposition of proceeds of stock sold.

SECTION 4. That all moneys on hand, heretofore reserved by said company as a fund for repairs, or as a surplus or contingent fund, and all money realized from the sale of the materials of the existing bridge, not used in the erection of the new bridge, shall be faithfully applied by the managers of said company towards the construction and erection of said new bridge, and the purchase of any land necessary for the use of said company.

Surplus fund, &c. to be applied to building bridge.

May issue bonds SECTION 5. That the board of managers are hereby authorized, for the purpose of raising the necessary funds for the completion of said new bridge, to issue bonds in the name and under the corporate seal of the company, payable at such time as they may designate, with coupons attached for the interest thereon, at a rate of interest not exceeding eight per centum per annum, payable semi-annually: *Provided*, That the total amount of the capital stock of said company, and of unliquidated bonds, shall not at any time exceed, in the aggregate, the sum of five hundred thousand dollars, and that no bond shall be issued by said company of a denomination less than one hundred dollars.

Rates of tolls. SECTION 6. That so soon as said new bridge shall be completed, or so far finished as to be opened for travel, the said company shall have authority to erect gates, and to demand and receive the following rates for tolls, to wit: For every foot passenger the sum of one cent; for every carriage, wagon, buggy or other wheeled vehicle, of whatever description, and for every sleigh or sled drawn by a single horse, the sum of ten cents, and for every additional horse the sum of five cents; for each and every horse, with or without a rider, the sum of five cents; for every head of horned or muley cattle the sum of three cents, and for every head of sheep or swine the sum of one cent; and the said company shall charge and receive the said rates of toll from and after the passage of this act on their present bridge, until the same is removed: *Provided*,

Persons exempt from tolls. That the following persons shall pass free of tolls, to wit: All females, all children under the age of twelve years, all persons attending funerals or attending divine service on the Sabbath day, all students or youth attending any schools or other seminaries of learning, and any detachment of the militia of this state, or of the military of the United States; and that the tenth section of the act of assembly of the nineteenth day of March, one thousand eight hundred and ten, together with the sixth section of the act of assembly of the seventeenth day of February, one thousand eight hundred and sixteen, to which acts this act is a supplement, be and the same are hereby repealed.

Repeal.

New stock when paid in full to be equal to old. SECTION 7. That the said new capital stock, so soon as the instalments thereon are fully paid, shall be entitled, equally with the now existing capital stock of the said company, to share in the dividends declared from time to time out of the net profits or earnings of said company, which dividends shall not exceed the rate which the said company are now authorized to declare; and that the managers of said company shall from time to time lay by, out of the net earnings, such amounts or sums of money as may be sufficient, in their estimation, to provide a fund for the repair of said bridge, and for preserving it from decay, and also, if necessary, for the redemption of the bonds of the said company.

Fund for repairs to be kept out of net earnings.

Notification of meetings. SECTION 8. That a notification of the time and place of all meetings of stockholders, and of the time and place for payment of the dividends declared, shall be published in at least two newspapers in the city of Pittsburg; and that all notices of meetings of stockholders shall be deemed sufficient if pub-

lished in two papers in the city of Pittsburg, for at least four consecutive days (Sundays excepted) prior to the day of holding such meetings.

SECTION 9. That in case it shall be necessary or advisable in the erection of said new bridge, owing to its increased width and height, to occupy, with the abutments or embankments, any portion of the property adjoining that now owned and occupied by said company, it shall be lawful for the board of managers of said company to purchase from the owner or owners of any such land so much thereof as shall be requisite for the purposes or purpose aforesaid, at such price as may be agreed upon between them and the board of managers of said company; but in case they cannot agree, then it shall and may be lawful for said company to proceed with the erection of their works, and for this purpose to enter upon and occupy such land as they may need for the purposes aforesaid; first, however, making application to the court of common pleas of Allegheny county, accompanied by a map describing the bound of such land or lands so taken; and on such application said court shall proceed to appoint three viewers to estimate and appraise the value of such lands so taken; whereupon such proceedings shall be had as are provided in the third section of the act of the seventeenth day of February, one thousand eight hundred and sixteen, to which this act is a supplement; and upon the payment of the appraised value of such lands, with the cost of the appraisement, the said corporation shall hold and enjoy said lands, so taken, to them and their successors and assigns, as fully as if they had been granted to said corporation by the owner or owners thereof by deed in fee simple.

May purchase lands adjoining for abutments.

May enter on lands, &c.

Court to appoint viewers to estimate damages.

SECTION 10. That the president or treasurer of said company may, at any time, by direction of the board of managers, call a special meeting of the stockholders of said company to consider and take action upon any matters affecting the interests of the company; and all meetings of the stockholders of said company, whereof notice shall have been given in the manner hereinbefore provided, all questions shall be decided by a majority of votes of the stockholders there present, in person or by proxy, and such action shall be deemed to be the action of said corporation as fully as if all the stockholders were present; and at all meetings of the stockholders of the said company, any stockholder or stockholders may be represented and may vote by proxy, which proxies shall be in writing and signed by the stockholder giving the same.

Directors may call special meetings of stockholders.

SECTION 11. That the name of said corporation be and the same is hereby changed to that of the Monongahela Bridge Company of Pittsburg, by which name the said corporation shall have perpetual succession, and enjoy all the rights, franchises, immunities and privileges granted by this act, or any previous act of assembly, to the said corporation, under the name of the president, managers and company for erecting a bridge over the river Monongahela, opposite the borough of Pittsburg, in the county of Allegheny.

Name changed.

Powers and privileges.

SECTION 12. That nothing in this act contained shall be deemed, taken or construed as in any manner impairing the

Rights granted by original charter not impaired.

rights, franchises and immunities heretofore granted to said company, by or under their original act or acts of incorporation, or any supplement thereto, excepting in so far as the same are expressly repealed or modified by the provisions of this act.

Repeal.

SECTION 13. All acts or parts of acts heretofore enacted, which are inconsistent with the provisions of this act, are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 814.

An Act

Relating to a public park in the city of Pittsburg, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Purchase of ground for a park authorized

That the city of Pittsburg shall be and is hereby authorized and empowered, whenever councils may so direct, to purchase ground, not exceeding in the aggregate six hundred acres, to be used for the purposes of a public park or parks, and to pass, ordain and enact rules, regulations and ordinances necessary and proper for the purchase, improvement, preservation, regulation, management and control of the same, and enforce the same by proper penalties: *Provided*, That no payment shall be made nor bonds issued on account of any contract for the purchase of land for park purposes, nor shall such contract be finally concluded, until the question shall have been submitted to the citizens of said city for their approval, at a special election, to be held at such time and in such manner as councils may direct, which election shall be held by the officers authorized to hold general elections in said city; returns of which shall be made to councils, and if a majority of the votes be against such purchase, no further action shall be taken thereon.

No payments to be made until purchase is approved by vote of citizens.

Proceedings in case of disagreement with owners.

SECTION 2. Whenever said city may desire to procure grounds within the corporate limits of said city for the purpose of said park, and are unable to agree with the owner thereof for the sale of the same, or by reason of the absence or legal incapacity of such owner or owners, no such agreement can be made, it shall and may be lawful for the district court of Alle-

gheny county, upon application thereto, made upon behalf of said city, to appoint three disinterested freeholders of said county, neither of whom shall be residents or owners of property in said city, and appoint a time, not less than ten nor more than twenty days thereafter, when they shall meet on the premises, and having been first duly sworn or affirmed to faithfully discharge their duties, appraise and value the grounds proposed to be taken; of which meeting, notice shall be given at least ten days before the time appointed, to the attorney of the city of Pittsburg, and to the owner or owners, to the agent, guardian, committee or other representative of such owner, if such agent or representative resides in the county of Allegheny, and if not, by publication in at least two daily papers published in the city of Pittsburg, and in such other papers as said court may direct.

SECTION 3. Said viewers, having viewed the premises, shall estimate and determine the quantity and value of the property so proposed to be taken and used for the purposes aforesaid; and after having made a fair and just computation of the advantages and disadvantages, they shall estimate and determine whether any, and if any, what amount of damages will be sustained by the owner or owners of said ground, by the taking and using the same, or any part or parts thereof, for the purposes aforesaid, and make report to said court within ten days thereafter, which report shall be filed, and if no exceptions thereto be filed within ten days thereafter, the same shall become absolute and binding upon all parties; but if exceptions shall be filed by either party, within the time aforesaid, the said court shall make proper order disposing of the same, and may, if the said exceptions be sustained, refer the report back to the same viewers for correction, or may set aside the same, and appoint other viewers to make a new estimate and appraisal as aforesaid; and after final judgment, either party may have a writ of error from the supreme court, as in other cases.

Duties of viewers.

Report.

Exceptions may be taken.

Writ of error.

SECTION 4. When the report of the viewers shall have been made and returned to court as aforesaid, said city may tender the amount of the estimated damages to the owner or owners of said land, his, her or their agent or representative, or may pay the same in court, and may thereupon take possession of, use and occupy the land so appropriated for use as a park, and for no other purposes whatsoever.

On report of viewers, city may tender damages and take possession.

SECTION 5. When final judgment shall have been given in any case, and the appraised damages sustained by the taking of said grounds for the purpose aforesaid, thereby determined, and the amount thereof paid or tendered to the owner or owners, his or their agent or representatives, or paid into court, the exclusive use or occupation and control of the ground so appraised shall become vested in the city of Pittsburg, for the purpose of a public park, and for no other purpose.

After final judgment and payment of damages, property to vest in city.

SECTION 6. When ground shall have been purchased in pursuance of the foregoing authority, it shall and may be lawful for the said city of Pittsburg to sell at public sale to the highest and best bidder, any part thereof which may not

City may sell grounds not required for park.

be required for park purposes, in such manner and upon such terms as councils may direct, and the money received therefor shall be appropriated to the redemption of bonds issued for the purchase of ground as aforesaid, or for the improvement or maintenance of said park.

May issue bonds not exceeding \$500,000.

SECTION 7. The council of the said city of Pittsburg shall be and they are hereby authorized and empowered to cause to be issued bonds, in the name of the city of Pittsburg, to an amount not exceeding five hundred thousand dollars, bearing interest at a rate not exceeding seven per centum per annum, to be used for the purpose of purchasing and improving ground for a public park as hereinbefore provided, and for no other purpose.

How payable.

SECTION 8. All bonds issued in pursuance of the foregoing section shall be in such form and amounts, and payable at such times and places as councils may by ordinance direct: *Provided*, That they shall each be signed by the mayor, countersigned by the controller, and sealed with the corporate seal of said city.

Bonds may be sold.

SECTION 9. When any bonds shall have been executed in pursuance of the foregoing authority, they may be sold in such manner as the councils may direct, and the moneys received therefor shall be appropriated to the payment of the purchase money for grounds bought, or for the payment of the estimated damages for the ground taken for the use of a public park, and not otherwise: *Provided*, That no bond shall be sold for less than par: *And provided further*, That nothing herein contained shall be construed to prevent the said city of Pittsburg from contracting for the purchase of ground, payable in bonds issued in pursuance hereof.

Proviso.

Account of bonds, proceeds of sales, &c.

SECTION 10. A separate account shall be kept of all bonds issued in pursuance of this act, and of the proceeds of the sales thereof, and the said city shall have the right, from time to time, to loan out to any bank or banking house, on proper security, at such rates of interest as may be agreed on, any balances on hand not required for immediate use.

Bonds exempt from taxation, &c.

SECTION 11. All bonds issued in pursuance of this act shall be exempt from state, county and local taxation, and shall be a legal investment for all moneys held by any person or corporation in a fiduciary capacity.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 815.

An Act

Relating to the Atlantic and Great Western Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the connection made at Corry, in the county of Erie, between the railroad formerly of the Meadville Railroad Company, and now of the Atlantic and Great Western Railway Company, and the Philadelphia and Erie railroad, shall be deemed a connection furnishing a route to the city of Erie, within the meaning of the third section of the act, approved the twenty-ninth of May, one thousand eight hundred and fifty-seven, entitled "An Act to incorporate the Meadville Railroad Company."

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 816.

An Act

To incorporate the Plainsville and Wilkesbarre Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Calvin Parsons, Charles D. Foster, William S. Hilliard, C. P. Kidder, J. R. Colbaugh, G. M. Miller, Marcus Smith, Arnold Bertels, E. Tröxel and Wm. S. M'Lean, their associates and assigns, be and are hereby constituted a body politic and corporate, with perpetual succession, by the name, style and title of the Plainsville and Wilkesbarre Passenger Railroad Company.

Corporators.

Name.

SECTION 2. That the said company shall have the right to lay out and construct a railroad to be operated by horse power, with one or more tracks, from any point on the public

Authority to construct passenger railroad.

Location.	square in the borough of Wilkesbarre, to Parson's, along line of public highway, and thence to any point in the village of Plainsville, Luzerne county, by any route between said points that may be deemed advisable, and to make from time to time one or more branches from any point or terminus of said route, not exceeding five miles in length, with the right to occupy at any time as many of the streets as may be desirable, having first obtained the consent of the town councils, or of the property owners of three-fourths of the frontage along that portion of the street or road to be occupied; and
Requirements.	said company, in constructing their railroad, shall conform to the grades of the several streets, and shall keep so much of said streets in perpetual repair as shall be used by said company, and also shall have the right to charge reasonable tolls for the conveyance of passengers over their road, not exceeding seven cents per mile or fractional parts thereof, for each and every passenger thus conveyed.
Rate of toll.	
May cross or connect with other railroads.	SECTION 3. That said company shall have the right to cross with their track at grade, or connect with any railroad now constructed or that may hereafter be constructed, and make use of any public bridge or the sides or centre of any public road: <i>Provided</i> , Said company shall not build its road or any portion of it on River street, Washington street, in the borough of Wilkesbarre, north of South street.
Capital.	SECTION 4. That the capital stock of said company shall consist of ten hundred shares, of fifty dollars each, with privileges of increasing the same from time to time as the directors may determine; said company shall also have the right to borrow money to an amount which, with the capital stock subscribed, will complete and equip said railroad, and to issue bonds with or without coupons, in sums not less than one hundred dollars, payable at such times and on such terms, and at such rate of interest as they may deem proper, and may secure the payment thereof by a mortgage or mortgages upon said railroad, its property, tolls and franchises, or any part thereof or its branches, and may issue a preferred stock, subject to such terms and conditions as the directors and the purchasers may agree upon.
May borrow money.	
May execute mortgage.	
By-laws.	SECTION 5. That the said company shall have power to make such by-laws as they may deem suitable to carry out the objects of the corporation, and the government of the same, and the same to alter, amend, add to or repeal at their pleasure, and to adopt a common seal, and to alter the same: <i>Provided</i> , That the said by-laws shall not be contrary to the constitution and laws of the commonwealth of Pennsylvania and of the United States.
Directors.	SECTION 6. That the corporators named in this act shall elect persons to serve as directors of the company, of such number, and at such times, and of such qualifications as may be prescribed by the by-laws, and shall hold their office until their successors are elected; the directors shall elect a president, treasurer, secretary and such other officers as may be deemed expedient and necessary.
Damages.	SECTION 7. That when the amount of damages cannot be agreed upon by said company and the owners of lands and

materials along the line located for said railroad, the same shall be determined in the manner provided by the act regulating railroads, and the supplements thereto.

SECTION 8. That said company shall make the same reports and pay the same taxes to the commonwealth as if incorporated under the general railroad law. Company to make reports and pay taxes.

SECTION 9. That any incorporated company shall have power to subscribe to the stock of said company, or to purchase or endorse the bonds of said company, and shall be represented at the meetings and elections of said company, by such persons as may be designated by the governing power of such subscribing or endorsing corporations. Any incorporated company may subscribe to stock, &c.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 817.

An Act

To incorporate the Laurel Run Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John W. Lott, J. M. Hodge, E. J. Jones, O. H. Torbert, G. F. Rohrer, and their associates, and such other persons as may become holders of the stock of said company, are hereby created a body politic in law and in deed, by the name, style and title of the Laurel Run Improvement Company, and as such shall have perpetual succession, and all the powers, privileges, franchises and immunities of a corporation. Corporators.
Name.

SECTION 2. That the capital stock of said company shall consist of twenty thousand shares, of the par value of fifty dollars per share, and the president and directors shall have power from time to time to issue such an additional amount of stock as they may deem necessary to carry out the objects of the corporation, or may issue the bonds of said company, bearing such rates of interest, not exceeding eight per centum per annum, and payable at such times as they may designate, or may issue both said stock and bonds, and dispose of either, or both of the same, at such price and in such way and manner as they may deem expedient; and shall have power to secure the principal and interest of said bonds by a mortgage or Capital.
May issue bonds

mortgages upon the whole or any parts of their property, real or personal, and their corporate rights and franchises acquired or to be acquired by said company.

Powers.

SECTION 3. The said corporation shall have power to purchase, sell, transport and mine coal, and to mine and manufacture iron, and for this purpose the said company shall have power to acquire from time to time by purchase, lease or otherwise, such lands as they may deem expedient, and may lease, sell, mortgage or otherwise dispose of such land or any rights, easements or privileges therein; and may construct all necessary buildings and fixtures necessary for the business of mining, and for preparing coal for market, mining and manufacturing iron, and the accommodation of persons engaged in their employ in the said business.

Duties of corporators.

SECTION 4. That the corporators, or a majority of them, named in the first section of this act, over their joint signatures, shall prepare a certificate, setting forth that they have elected a president and six directors of said company, and the powers and duties of said corporation shall thereupon finally cease and determine; and said certificate, when deposited in the archives of said company, shall be evidence of the election of the president and directors named; and such president and six directors shall adopt a form of subscription for stock, and when not less than five thousand shares shall have been subscribed for, and not less than five dollars per share shall have been paid in, a meeting of the stockholders shall be called, at a time and place to be designated in a written or printed notice, to be served upon each stockholder, either personally or by mailing the same to his place of residence; and at the said meeting, or some adjournment thereof, the stockholders present, either in person or by proxy, shall have power, by a majority of votes, to elect a new president and a new board of six directors, or to continue the old president and the old board; and shall adopt such by-laws, fixing the terms of office, qualifications, and election of president and directors, the time and place of holding an annual meeting of the stockholders, and election of president and six directors, the convening of special meetings of stockholders, the calling in and enforcing by suit, forfeiture or otherwise, of payment of stock subscription, and such other matters connected with the business of the said company as they may deem advisable; which said by-laws may be amended, altered or repealed by a majority of votes, at any general or special meeting of the stockholders; and at all corporate meetings or elections, for any purpose whatsoever, each share of stock shall entitle the holder to one vote.

Organization.

By-laws.

Election of directors.

Quorum.

SECTION 5. The stockholders, at their annual meeting, or at some adjourned meeting, shall elect a president and six directors, who shall serve for the ensuing year, and until their successors are elected; and any vacancy in the office of president or directors shall be filled by the remaining directors, or president and directors, as the case may be; any four of the presidents and directors, for the time being, shall constitute a quorum, and shall be subject to the by-laws adopted by the stockholders, exercise all the corporate powers which the

corporation may at any time lawfully exercise, including the power of appointing all such officers, agents or employees as they may deem necessary, and may from time to time adopt, repeal, alter or amend the by-laws for regulating the business of the company, not inconsistent with those adopted by the stockholders; and it shall be lawful for the president and directors of said company to subscribe for or purchase the lands or stock of any other incorporated company in the state of Pennsylvania, and for any railroad or mining company existing under the laws of this state to subscribe for or purchase the stock, or to purchase or guarantee the bonds of the company hereby incorporated. This corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

President and directors may subscribe for or purchase stock, &c., of other companies.

Bonus.

Individual liability.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 818.

An Act

Authorizing the citizens of Brooklyn and Lathrop townships, in the county of Susquehanna, to change the method of mending and improving the roads and building bridges in said townships.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors in the township of Brooklyn or Lathrop, in the county of Susquehanna, shall, before the first day of July, in the year one thousand eight hundred and seventy-one, and before the first day of March in every fifth year thereafter, divide the township into three districts, as nearly equal as convenient, describing the boundaries of each section, the description to be recorded into the township book.

Auditors to divide township into three districts.

- Supervisors. SECTION 2. That it shall be lawful for the taxable inhabitants of said township of Brooklyn and Lathrop, at their next election for supervisors of the public roads and highways in said townships, to elect three suitable persons as supervisors, one for one year, one for two years, and one for three years, and one person annually thereafter to serve for three years, one of whom shall reside in each district; any two of them shall constitute a quorum to do business: *And provided,* That the supervisors now acting shall perform the duties of the office in accordance herewith until the next election.
- Quorum. SECTION 3. That they shall be called the board of supervisors; they shall be qualified by a justice of the peace, and shall give sufficient security to the auditors of the township for the faithful performance of their duties, and shall receive one dollar and fifty cents per day, and at the same rates for parts of a day for their services while superintending or inspecting the roads.
- To be qualified and give bond. SECTION 4. That within thirty days after the election, and every five years thereafter, they shall lay off and divide the public roads and highways in said township into sections not exceeding one mile in length, which they shall number and describe in a book, which shall be called the road book of Brooklyn and Lathrop townships.
- Roads to be divided into sections. SECTION 5. That they shall also distinctly specify therein what they deem necessary for the improvement and keeping in good repair the said public roads and highways; and when the supervisors shall have so laid off the said roads as aforesaid, they shall, within six days thereafter, give at least ten days' public notice, by ten or more handbills put up in as many of the public places in said townships, designating the time and place where they will sell at public sale, to the lowest and best bidder, the said roads as described, one section at a time, until they are all sold or disposed of, to be kept in repair for the said term of five years: *Provided,* That no person shall buy more than five sections.
- Specifications. Notice. SECTION 6. That if any section or sections of said roads shall remain unsold on account of no bid being made for the same, or if the board of supervisors shall consider the bid too exorbitant, it shall be their duty to keep in repair the said section or sections so unsold, for one year, at the expiration of which time they shall expose the same section or sections at public sale, for the unexpired term of five years, as provided in section fifth; but the supervisors may permit some portions of the road to remain otherwise, if they think the expense too great, or the road can be kept in good order without such improvement, which, if so permitted, shall be so stated in the agreement when the roads are sold or let.
- Sale of sections. Proviso. SECTION 7. That any person or persons purchasing or contracting for a section or sections of roads as aforesaid, shall write his or their names respectively in the supervisors' book, against the section or sections so purchased or contracted for, and also the amount of the purchase or contract price, and shall give satisfactory security to said supervisors, conditioned for the faithful performance of his or their part the said contract.
- Sections remaining unsold, relative to. Purchasers to sign names in book and give security.

SECTION 8. That it shall be the duty of the contractors or purchasers as aforesaid to keep their respective sections in good and substantial repair during the said term of five years, according to the specifications aforesaid, one of which shall be, that the bed of the road shall be raised in the middle, and slope gradually each way to the sides, where ditches or drains shall be kept open, of sufficient depth and width to carry off the water, and that all loose stones shall be removed or broken, and covered with earth; and should any person or persons refuse or neglect to make the improvements, or keep in good repair the section or sections so purchased or contracted for, upon complaint being made to the supervisors, or either of them, it shall be the duty of said supervisors to examine the section or sections so complained of, within four days, and if they deem the complaint well founded, to give notice to the party or parties complained of, to make the improvements, and keep his or their section or sections of road in good repair, according to the terms of contract, within six days thereafter; and if he or they shall refuse or neglect to comply with said notice, until the expiration of the said six days, it shall be the duty of the supervisors to have the said section or sections improved or repaired, according to the terms specified in the contract; and double the cost of improving or repairing the same shall be recoverable by the supervisors from such person or persons so neglecting or refusing, or of their sureties, as other debts of equal amount are now recoverable by law, with costs of suit.

Duties of contractors.

Duties of supervisors when complaints are made.

SECTION 9. That it shall be lawful for any contractor or contractors to dispose of the unexpired term of such purchase or contract, with the consent of the supervisors first to be had to such disposal, and the person or persons to whom such contract or contracts shall be disposed of, shall enter his or their name or names in the road book, as aforesaid, and give the security provided for in the sixth section of this act, and be liable to the same penalties for neglect or refusal to keep such section or sections in repair, as hereinbefore provided for in case of a purchaser or contractor; in case of the death of any contractor or contractors, or his or their removal from the township, without disposing of his or their contract or contracts, the supervisors shall keep such section or sections in repair for the balance of the year, when such section or sections shall be sold at public sale, as provided for in section fifth.

Unexpired contracts, relative to.

SECTION 10. That it shall be the duty of the supervisors to inspect all the roads and bridges in said township, at least once in six months, and if at any time they shall find that any of the purchasers or contractors have neglected or refused to keep in good repair, according to their agreement, any section or sections of road purchased by him or them, they shall give notice to such purchaser or contractor, as directed in the eighth section of this act; and in case of neglect or refusal to comply with the said notice, to proceed as directed in said section to have the roads put in good repair, and enforce payment therefor as therein provided.

Inspection of roads and bridges.

SECTION 11. That if the supervisors or either of them shall

Neglect or refusal of supervisors to perform duties.

neglect or refuse to perform the duties appertaining to their office, the auditors shall have power to remove them or either of them, and fill the vacancy; the person or persons so appointed shall hold his or their office until the next election for supervisors, when the vacancy or vacancies shall be filled by election.

Account.

SECTION 12. That the board of supervisors shall keep a correct account of their proceedings, which shall be entered in the road book.

Annual payments.

SECTION 13. That one-fifth part of the amount of sales and contracts shall be paid to the respective purchasers or contractors annually.

New roads and bridges.

SECTION 14. That in all cases where a new road or roads shall be laid out and directed to be opened, or bridges to be built, in said township, it shall be the duty of the supervisors, and they are hereby required and directed, within ten days after the receipt of the order from the court of quarter sessions of Susquehanna county, directed to them for the opening of the said road, to divide the said road, so laid out and directed to be opened, into sections, so as to equalize, as far as possible, the amount of labor to be performed on each section; in the opening and grading of said road, each section to be numbered and described in the township road book, in which they shall enter what they deem necessary to be done to such road or sections of road, or the manner in which bridges shall be built, and the materials of which they shall be composed, after which it shall be the duty of the supervisors to give public notice, as provided in the fifth section of this act, when they will sell at public sale, to the lowest and best bidder, the opening and making of such road or roads, one section at a time, or for the building of any bridge as aforesaid; at which time and place it shall be the duty of the supervisor to attend, and sell out such road or bridge, as the case may be, to the lowest bidder: *Provided*, That such bidder shall give satisfactory security to the supervisors that he will perform the work according to contract.

Contracts to be in writing.

SECTION 15. That the contract for any work, let or sold under the provisions of the preceding section, shall be in writing, signed by the contractor or contractors in duplicate, and a copy thereof retained by each party, and when the work is alleged to be completed, the auditors of said township, upon being notified, shall inspect the work and report to the supervisors whether, in their opinion, the work has been performed according to contract, and if they report that it has been so performed, the supervisors shall pay therefor according to said agreement; but if they report that it has not been so performed, they shall state wherein it is deficient, and the contractor or contractors shall forthwith proceed to finish and perform said work according to agreement: *Provided*, That if said contractor or contractors shall be dissatisfied with the report of the said auditors, it shall be lawful for said contractor or contractors to make application to the court of quarter sessions of the county, or to any two of the judges of the said court, who shall appoint three competent and disinterested persons, not citizens of said township, whose duty it

Auditors to inspect work when completed.

Contractors may petition court for view-ers if dissatisfied with auditors' report.

shall be to make inspection of the said work, and report to the said court whether the same has been performed according to contract; which report, when so made and confirmed by the court, shall be binding and conclusive.

SECTION 16. That if by reason of drifts of snow, or any other natural cause, any road or roads shall become impassable or unsafe, and the repair of which was not provided for at the time of letting or selling the said road or roads, the supervisors shall repair or cause said roads to be repaired and made passable; and if any person or persons has placed, shall place, or cause to be placed, any obstructions in any road or drain, which shall interfere with the travel or drainage of said road, the supervisors shall give such person or persons notice to remove the same, and if he, she or they shall neglect or refuse to remove such obstructions within ten days thereafter, the supervisors shall remove the same, either by employing help to remove them, or have such obstruction removed by contract, as provided in section five; and the person or persons who placed such obstructions in such road or drain shall pay double the cost of removing the same, which cost shall be recoverable by the supervisors as other debts of equal amount are now by law recoverable, with costs of suit, and shall be appropriated towards the repairing the roads.

Obstructions from snow or other causes, relative to.

SECTION 17. That all laws hereby modified, altered or repealed by this act, and inconsistent herewith, be and the same are hereby repealed.

Repeat.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 819.

An Act

Supplementary to an act incorporating the borough of East Birmingham, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the inhabitants included within the boundaries now known as the borough of East Birmingham, are hereby constituted a borough, a corporation and body politic, by the name of East Birmingham, and by that name shall have per-

East Birmingham borough, incorporated.

Name.

Powers and privileges.

petual succession, and shall be able in law to have, purchase, receive, possess and enjoy lands, tenements and hereditaments, liberties, franchises and judicatories, goods, chattels, and effects, and by such name to grant, bargain, sell, alien, convey, charge, encumber and dispose of at pleasure, as freely as a natural person might or could, and by said name to sue and be sued in all manner of legal actions and proceedings, and for all necessary purposes, to have and to use a common seal, and the same from time to time alter, change and renew at pleasure.

Seat.

Burgess and council to divide borough into wards.

SECTION 2. The present burgess and town council of East Birmingham shall, at their first meeting after the passage of this act, or as soon thereafter as convenient, divide the territory of the borough into two or more wards; each of said wards shall be represented by six councilmen, who shall be elected with all other officers on the third Friday in March of each and every year; at the first election after the passage of this act the qualified electors of each ward shall elect members of council, sufficient to fill the vacancies existing by the expiration of outgoing members, and fill the additional members provided by this act; and the councils shall, by ordinance, provide that one-half of the members of council shall be elected each year, and their term of office shall be two years; and in case any two or more candidates shall receive an equal number of votes, the councils shall have power, by lot or otherwise, to determine who shall serve as elected.

Elections of councilmen and other officers.

Municipal government.

SECTION 3. The municipal government of the borough shall be vested in the burgess, council and such other officers as are herein named, or may be created by virtue of the power herein granted; and the said municipal government shall exercise the power, rights and authority herein granted, or heretofore vested in the borough of East Birmingham, and be subject to the restrictions herein set forth or existing by law.

Councilmen to be citizens of the wards they represent.

SECTION 4. No one shall be entitled to represent a ward in council, except a citizen of the ward he represents, and in case of removal from the ward, his seat shall be declared vacant, and a new election ordered to fill the unexpired term; the qualification of a councilman shall be that of a representative of the commonwealth.

Qualifications of voters.

SECTION 5. That all persons qualified to vote for state or county officers, and who shall have paid a borough tax within a year previous, shall be entitled to vote at all elections held in and for said borough; and it shall be the duty of the borough treasurer to furnish election officers a printed list of persons who have not paid a tax within one year previous.

Officers to be sworn.

SECTION 6. On the day of organization of council the burgess shall be sworn or affirmed, by a member thereof, to perform all his duties with fidelity; and he shall immediately thereafter administer the same obligation to each new member.

Councils to elect certain officers.

SECTION 7. The officers of said borough to be elected by councils shall consist of a treasurer, engineer, solicitor, and such other officers as councils may from time deem necessary and by ordinance create.

Elections by councils.

SECTION 8. The election of officers by council shall be at a time fixed by ordinance, and shall be *viva voce*, and concur-

rence of a majority of the whole number of members present shall be required, and the result shall be recorded in the journal of proceedings; the salaries of said officers, their duties and term of service, not less than one, nor more than three years, to be fixed and designated by councils by ordinance, except wherein the same is specially fixed and determined in this act; officers elected or appointed to fill vacancies shall respectively hold for the unexpired term only, and until the election or appointment and qualification of their successor: *Provided*, That ten days be allowed retiring officers to prepare papers and unfinished business, to be handed over to their successor in office.

Salaries, &c

Proviso.

SECTION 9. In case of a vacancy in the office of burgess from any cause whatsoever, it shall be filled or supplied by a new election for the remainder of the term of office, to be held within thirty days thereafter, as councils shall designate; and until such vacancy is filled by a new election, the councils shall appoint a burgess to act *pro tempore*.

Vacancy in office of burgess, how supplied.

SECTION 10. The meetings of councils for the transaction of business shall be public, and at such time and place as by ordinance, duly passed, shall be fixed for that purpose.

Meetings of councils.

SECTION 11. Two aldermen shall be elected for each ward, under the provisions and regulations of an act for the election of aldermen and justices of the peace, approved June twenty-first, Anno Domini one thousand eight hundred and thirty-nine, who shall hold their offices for the term prescribed by the constitution, and shall have respectively and severally all the powers, jurisdictions, authorities, fees and perquisites of justices of the peace of this commonwealth: *Provided*, That no election shall be held under this act for aldermen until a vacancy occur by death, removal, expiration of term of service, or in any other manner whatsoever it shall become necessary.

Aldermen.

SECTION 12. The citizens of each ward shall elect constables annually, according to the provisions of the various acts of assembly of the commonwealth relative to constables.

Constables.

SECTION 13. That all officers of said borough, whether created by this act or by ordinance, shall, before entering upon the discharge of their duties, give bond, with security approved by the council, in such sum as may be fixed by council, conditioned for the faithful discharge of their duties; all officers shall render their accounts once a year to councils, and such accounts shall be published.

All officers to give bond.

SECTION 14. The burgess and council shall provide and appoint the necessary judges, inspectors and other officers to conduct the first election in the various wards under this act; and thereafter the qualified electors of each and every ward shall elect, at the regular election each and every year, two inspectors and one judge of elections, and assessors, as prescribed by the several acts of assembly of this commonwealth in relation thereto.

Officers of first election, how appointed.

Of subsequent elections.

SECTION 15. That any officer elected by the people or by council, for whose removal from office no other provision has been specially made, either in this or any other act of assembly, may be removed from such office by a vote of two-thirds of all the councilmen: *Provided*, That no officer be removed

Removals from office.

- Proceedings. except for cause, nor unless furnished with the charges and heard in his defence; and councils shall have power to compel the attendance of councilmen and witnesses, and production of papers when necessary, for the purpose of either party or parties on such trial, and shall proceed to hear and determine upon the merits of the case; and if such officer neglect to appear and make answer to such charges, then councils may declare the office vacant.
- Time and place of meeting. SECTION 16. That councils shall meet after organization, at such time and place as they shall by resolution direct; a majority of the members shall constitute a quorum for transaction of business; no member of councils shall, during the period for which he was elected, receive any compensation for his services, or be competent to hold any office of which the emoluments are paid from the borough treasury, or the fees directed to be paid by any act or ordinance, or be directly or indirectly interested in any contract, the expenses or consideration whereof are to be paid under or by authority of any law, ordinance or resolution of said borough, or be in anywise interested in the sale or furnishing any supplies or materials to and for the use of said borough, or receive any reward or gratuity from any one interested in the sale or furnishing of any supplies or materials to and for the use of said borough; and any member violating any of these provisions shall forfeit his membership, and shall be held guilty of a misdemeanor, and on conviction thereof be sentenced to pay a fine not exceeding five hundred dollars.
- Quorum. Councils to receive no compensation and ineligible to certain offices. Forbidden to be interested in contracts, &c. Penalty. Councils may enact laws, ordinances, &c.
- SECTION 17. Said councils shall have full power and authority to make, ordain, constitute and establish such and so many laws, ordinances, regulations and constitutions: *Provided*, The same shall not be repugnant to the laws and constitution of the United States or of this commonwealth, as shall be necessary or convenient for the government and welfare of said borough, and for enforcing the powers conferred by this act, and all other acts not hereby repealed, re-enacted or enlarged, and the same to enforce by fines and penalties, and put into execution by constables and other proper officers, whom they shall have power to appoint, and at their pleasure to revoke, alter and make anew, as occasion may require.
- Publication of laws, ordinances, &c. SECTION 18. That a knowledge of said laws, ordinances, regulations and constitutions may at all times be had and obtained; they shall be published in one or more of the public newspapers, or in such other way as councils may direct, within fifteen days after their being severally passed, ordained or established, and also recorded in the office of recorder of deeds in and for Allegheny county, (who shall keep a separate book for the purpose, and shall be allowed and paid therefor at the same rates as are allowed by law for recording deeds,) within thirty days thereafter, otherwise shall be null and void; and before any of said laws, ordinances, regulations and constitutions shall be so recorded, the publication thereof, respectively, at the time thereof, shall be proved by the oath or solemn affirmation of some creditable person, which said oath or affirmation shall be recorded therewith, and at
- To be recorded.

all times be deemed and taken as sufficient evidence of the time of such publication, and such record shall be sufficient evidence of the terms of such ordinance.

SECTION 19. The councils shall have power within the borough limits, to prevent injury and annoyance from any business, occupation or anything dangerous, offensive or unhealthy, and to cause any nuisance to be abated; to regulate the transportation, storage and keeping of gunpowder or other dangerous combustible, and to provide or license magazines for keeping the same; to prevent or punish fast or immoderate riding or driving of horses, or the sale of horses or domestic animals at public auction on the public highways, or driving or propelling vehicles through the streets; to restrain or regulate the running at large of cattle, horses, swine, sheep or other animals, and to authorize a distraining, impounding and sale of the same, for the penalty imposed by any ordinance or regulation thereof and the costs of proceedings; to prevent the running at large of dogs, and injuries and annoyances therefrom, and to authorize the destruction of the same when at large contrary to any lawful prohibition; to regulate the transportation of articles through the streets, and to prevent injuries to streets and bridges from overloaded vehicles; to establish and regulate markets and to prevent forestalling and regrating of the same; to provide for the measuring or weighing of hay, lumber, wood, coal, lime or any other article for sale; to prevent obstructions in streets or side-walks; to prevent any riots, noise or disturbance or disorderly assemblages, and to punish those engaged therein; to suppress and restrain disorderly houses of ill fame, billiard tables, nine or ten-pin alleys, ball alleys and gambling houses and tables, and to authorize the destruction of all instruments or devices used for the purpose of gaming, and to protect the property of the corporation and its inhabitants; and to preserve the peace and good order therein, shall have power to assess, apportion, levy and collect each year, such tax as may be necessary for the purposes of corporation, on all descriptions of property made taxable by laws of the commonwealth.

Additional powers of councils.

SECTION 20. The corporation shall have power to provide for safe and regular building of houses, stores, manufactories and other buildings within the limits, and to regulate and prevent the erection of any building that may be deemed unsafe or dangerous, or which may not be sufficiently guarded against damage by fire, or which may be for the purpose of maintaining or carrying on therein any business that may be obnoxious, dangerous, annoying or damaging to citizens or property, under such regulations as may be by ordinance directed.

May regulate erection of buildings, &c.

SECTION 21. Councils shall have power to regulate, license, and prohibit all theatrical exhibitions and shows, and all exhibitions of whatever name or nature for which money or any other reward is demanded and received: *Provided*, That lectures on history, literary or scientific subjects shall not come within the provisions of this act.

May license or prohibit theatrical exhibitions, &c.

SECTION 22. Councils shall have power to cause any lot or lots of land within its limits, on which water shall at any

May cause lots to be drained. &c.

time become stagnant, to be raised, filled up or drained, and to cause all putrid substances, animal or vegetable, to be removed from any lot or lots, and may for such purpose from time to time direct that such lot or lots may be raised, filled up or drained, or that such putrid substances be removed from such lot or lots by the owners thereof respectively, in such reasonable time and in such manner as may be directed by a resolution of councils; and it shall be the duty of such owner or owners, his, her or their agent or attorney, after service of a copy of said resolution, or after publication of the same in some newspaper, to comply with the directions of such resolution within the time therein specified; and in case of failure or refusal to do so, it may be done at the expense of the corporation, and the amount of money so expended, shall be a debt due to the corporation from the owner or owners of such lot or lots, and shall be a lien on such lots, and shall be enforced and collected in the same manner that liens for lateral sewers in Allegheny city are entered upon and collected.

May prevent obstruction of streets, side-walks, &c.

Punish vagrants, &c.

Abate nuisances.

Regulate the use of locomotive engines.

SECTION 23. Councils shall have power to prevent the encumbering or obstruction, in any manner whatsoever, of the streets, side-walks, lanes, alleys, public grounds or wharves of said borough; to prevent and regulate swimming in the waters of said borough, and to prevent any obscene or indecent exhibition, exposure or conduct; to restrain and punish vagrants, mendicants, street beggars and prostitutes, or regulate any amusement or practice having a tendency to annoy persons passing in the streets or side-walks, or to frighten teams or horses; to compel all persons to keep the snow, ice and dirt from the side-walks in front of the premises owned or occupied by them; to prevent or regulate all performances and devices tending to the collection of persons on streets and side-walks or public ways, by auctioneers and others, for the purpose of business, amusements or otherwise; to abate and remove nuisances, and punish the authors thereof by penalties, fines and imprisonment; to define and declare what shall be deemed a nuisance, and authorize the summary abatement thereof, but nothing in this act shall be so construed as to oust any court of jurisdiction; to abate and remove nuisances in the streets, or any other part of said borough, or within its jurisdiction, by indictment or otherwise; to erect lamps and regulate the lighting thereof; to prohibit or regulate the use of locomotive engines within the borough, the fuel used in propelling locomotives, the rate of speed and making up of trains, the blowing of locomotive whistles, erecting and maintaining gates and watchmen at crossings of streets and public grounds of said borough, and to exercise every other power in reference to the running of cars and use of locomotives, and of railroad tracks, necessary to secure the safety of citizens, lives and property, and the free and unobstructed use of the highways of said borough; to regulate the running of horse railway cars, the laying down of tracks for the same, the transportation of passengers thereon, and the kind of rail to be used; to do all acts and make all regulations which may be necessary or expedient for the preser-

vation of health and suppression of disease; to authorize the arrest, fine and imprisonment in the county jail or work-house, at the discretion of keepers, exhibitors or visitors at any gaming table, gambling house, house for fortune-telling, houses of ill or bad repute, or other places of bad devices, and all persons who go about for the purpose of gaming, or who shall have in possession any article or thing used for obtaining money under false pretences, or by not rendering an equivalent for money paid, and all who shall disturb any place where public or private schools are held, either on week day or Sabbath, or places where religious worship are held.

Prevent gaming, fortune-telling, &c.

SECTION 24. Ordinances of the corporation may be enforced by the imposition of fines, forfeitures and penalties on any person offending or violating such ordinances or any of them, and the fine, penalty or forfeiture may be prescribed in each particular ordinance, or by general ordinance passed for that purpose; and the corporation shall have power to provide for the prosecution, recovery and collection of such fines, forfeitures and penalties, and also to provide that all persons who shall refuse or neglect to pay the fine imposed on conviction of an offence, together with costs of prosecution, shall be imprisoned in the county jail or work-house, at the discretion of the burgess or alderman before whom the conviction is had, not, however, exceeding ninety days.

Enforcement of ordinances.

Imprisonment of offenders.

SECTION 25. The burgess or alderman shall have jurisdiction, power and authority to recover, summarily or by penal action, as the case may be, any fines and forfeitures inflicted for the violation of the provisions of any ordinance which may be enacted and ordained by the said councils for the government of the said borough.

Recovery of fines.

SECTION 26. Any ordinance, when passed by the council, shall be signed by the burgess and countersigned by the clerk.

Signing of ordinances.

SECTION 27. The councils shall possess all the legislative powers granted in this act, and other corporate powers of the borough not herein or by some ordinance conferred in pursuance of this act, on some officer of the corporation; they shall have the control and management of the finance, and of all the property, real or personal, belonging to the corporation.

Legislative powers.

SECTION 28. The burgess shall be the chief executive officer of the borough, and conservator of its peace; he shall have and exercise within the borough limits the power conferred on the sheriff of the county, to keep the peace within the borough limits, and suppress disorder, to apprehend any persons committing any offence against the laws of the state, or the ordinances of this borough, and all disorderly persons; he shall keep the corporate seal in his charge, and shall sign all permissions, licenses and permits, authorized or granted by the borough councils, and such other acts or papers as may require by ordinance his certificate; and it shall be his special duty to cause the ordinances of the borough to be faithfully and constantly obeyed and observed.

Authority of burgess.

SECTION 29. The burgess shall have power to promulgate the by-laws and ordinance of the corporation, and specially to attend to the due execution and fulfillment of the same;

May promulgate ordinances.

Emoluments.

May exercise
authorities of
aldermen ex-
cept in civil
cases.

and shall be entitled to receive, hold and enjoy all the emoluments, which, by the by-laws and ordinances of the said corporation, now or may be hereafter annexed or attached to said office of burgess; and for the purpose of enforcing the observance of said laws and ordinances, and preserving the peace and good order of the borough, he shall have and exercise all the powers, jurisdictions, authorities, fees and perquisites now exercised and appertaining to an alderman or justice of the peace of Allegheny county: *Provided*, Nothing in this act shall be construed to give him jurisdiction or authority in civil cases.

Treasurer.

SECTION 30. A borough treasurer shall keep all the moneys accruing to the corporation, and shall pay out the same on warrants drawn by the burgess, and countersigned by the clerk of councils or other officers, as shall be denominated by councils; he shall serve for the term of one year, and keep the money of the borough in such manner and place as may be directed by an ordinance, and shall give bonds and receive such compensation as shall be fixed by councils; and in addition to the duties required by this act of assembly, and the powers prescribed therein, he shall have such other powers and perform such other duties which may be compatible with the nature of his office, as are and shall be prescribed by said councils.

Engineer.

SECTION 31. The borough engineer shall be elected by councils, and his duties, compensation, enacted by ordinance; he shall be well skilled in the science of civil engineering; in his office shall be kept all plans, plots, records and papers pertaining to streets and public improvements of the borough; he shall have charge of all improvements of streets, highways, sewers, wharves, landing and public grounds of said borough, and shall perform such other engineering services as may be required by councils; he shall have charge of all plots, books, et cetera, necessary to register and plot all property returned under the registry act of said borough.

Laws and ordi-
nances not
modified by
this act to re-
main in force.

SECTION 32. All laws, ordinances, regulations, by-laws and resolutions now in force in said borough, and not inconsistent with this act, shall remain in force under this act until altered, modified or repealed, after this act shall take effect.

Actions, rights,
penalties, &c.,
to be vested as
formerly.

SECTION 33. All actions, rights, penalties and forfeitures in suits, or otherwise, which have accrued under the act consolidated herein, or other acts, parts of acts, or supplements, not repealed or changed by this act, and now in force in said borough, shall be vested in and prosecuted by the corporation hereby created as if no change had been made in the said charter.

Property of pre-
sent borough,
vested in cor-
poration.

SECTION 34. All property, real, personal or mixed, any nature whatsoever, now belonging to the present borough, is hereby vested in the corporation created by this act and their successors, to and for the use and benefit of said citizens forever; and the officers of said corporation now in office shall respectively continue the same for the term of their election, but shall be governed by this act, which shall take effect from and after its passage.

SECTION 35. All acts, general or special, or parts of acts, or

supplements thereto, of the borough, not repealed by this act, now in force and operation, or passed prior to the passage of this act, and which confer any rights, privileges or powers upon said borough or its officers, citizens, or any of its commissioners, are hereby extended to the corporation created by this act; and all powers, privileges or rights now vested in the borough, its officers, citizens, or commission, are hereby vested in the corporation created by this act; and all of said acts of the borough shall continue in force and operation as fully and to like effect as if this act had never been passed, and in like manner all acts or parts of acts that have been extended to said borough prior to the passage of this act.

Acts not repealed extended to the corporation hereby created.

SECTION 36. All officers of said borough who are conservators of the peace by this act, or by authority or appointment of the councils, shall have power to arrest, or cause to be arrested, with or without process, all persons who shall break or violate the peace, and if necessary detain such persons in custody in watch-house, or other safe place, until hearing or bail is given, and shall have and exercise such other powers as conservators of the peace as councils may prescribe.

Power to make arrests.

SECTION 37. All bonds of the borough, and all public evidence of indebtedness of the borough, shall be free from state and local taxation.

Bonds exempt from taxation.

SECTION 38. That the councils of said borough shall, once in every year, cause to be published a just and true account of all moneys which shall have accrued to them in their corporate capacity during the year preceding such publication, and also of the disposition thereof; said councils shall have power to annually levy and collect taxes on the assessed value of real and personal estate in the borough, taxable by any law of the state, as now levied and collected in said borough by existing laws; all laws of said borough relative to general taxation to be continued in force and operation by the corporation created by this act with like effect as if this act had never been passed; said councils shall have power to levy and assess upon the goods, wares and merchandise, and upon all articles of trade and commerce sold in said borough, including sales at auction, or otherwise, an annual tax for the use of said borough, to be levied and collected from the vendors of said articles in same manner as other borough taxes are now levied and collected, as they may think just and equitable.

Councils required to publish financial statement annually.

Power to levy taxes.

SECTION 39. That councils of said borough are hereby empowered to levy and collect, for the use of said borough, an annual business tax as they may deem just and equitable, on the average yearly deposits of all banks and banking institutions, and on the yearly receipts of insurance companies and insurance agencies doing business in said borough; and in case any cashier, treasurer, secretary or other officer of any corporation, association or company, the business whereof is made taxable under this act, shall feel aggrieved by an assessment made in pursuance of this act, the treasurer of said borough, with the approbation of a majority of the council, shall have power to reduce the said assessment upon such cashier or other officer filing his or their affidavit in the office of the treasurer of said borough, stating the amount of business and the amount of

May levy annual tax on bank deposits, &c.

Assessments may be reduced.

the alleged over assessment, which affidavit may be made before any alderman of said borough.

Collection of tax.

SECTION 40. If said tax is not paid, then the property of any such corporations or companies shall be subject to levy and sale by any ward constable for payment thereof, upon a warrant to be issued by the borough treasurer, in the same manner as in other borough taxes; and it shall be lawful for any collector or any constable, upon warrant of collector, to arrest and imprison in the county jail any one refusing to pay any personal tax assessed upon him, her or them for borough purposes; such imprisonment not to exceed sixty days.

Grading and paving of streets, relative to.

SECTION 41. The said councils are hereby authorized, whenever they may deem the same necessary, to cause to be graded, paved, re-paved or macadamized any public street, lane or alley, or any part thereof borough, which is now or which may be hereafter laid out and opened in said, or which may be, in whole or in part, within boundaries of said borough, and to have the same set with curb-stone, and the foot or side-walks paved; and said councils are hereby authorized to levy and collect the cost and expense of grading, curbing, paving and macadamizing from the owners of property bounding or abutting on said streets, lanes or alleys, or parts thereof thus improved, by an assessment of an equal sum per foot front of said properties; the expense of re-paving and re-grading to be paid out of public funds in the treasury of said borough, from a general tax levied and collected as other borough taxes for that purpose.

Engineer to make assessment for costs of grading, &c.

SECTION 42. Whenever any street, lane or alley, or any part thereof, has been graded, paved or macadamized, in pursuance of the preceding sections, it shall be the duty of the engineer of said borough to make the assessment for the cost and expense thereof as provided for in said section, and to give notice, by publication for ten days in two daily papers, that the said assessment has been made and may be seen at his office, and that the parties interested may have an opportunity of having errors or mistakes corrected; after correcting any errors or mistakes that may have been discovered, he shall immediately hand over the assessment, with a plan and description of each lot, the amount assessed thereon, and the name of the owner or owners, or reputed owner or owners, to the treasurer of said borough.

Notice of completion.

SECTION 43. That as soon as the engineer shall have calculated the said assessment he shall cause thirty days' notice of the amount assessed upon each property to be given to the owner thereof, and that the same is due and payable to the treasury, in manner following, viz: If the owner is a resident of said borough, by personal service upon him, or by copy left at his dwelling or usual place of business; if a corporation or other association, upon its proper officer or agent; or if the owner is not a resident of said borough, or is unknown, the notice shall be posted on the premises, and a copy left with the occupant, if there is one, that if the same be not paid to the treasurer within thirty days from the time of said notice it will be filed as a lien against said property, with interest cost and fees.

How notices of assessments to be given.

SECTION 44. That if said assessments are not paid within thirty days after service of said notice, the engineer shall hand over to the borough solicitor the assessment list with the plan and a description of each lot, et cetera, as furnished by the engineer, and the solicitor shall file a lien against such property for the amount of the assessment thereon remaining unpaid, with interest from the time notice was given for payment, and five per cent. in addition as the solicitor's fee for collection, and collect and pay over the same, less the attorney commission, to the treasurer of said borough.

Liens to be filed if not paid within thirty days.

SECTION 45. The engineer shall require of the parties serving notices of assessment, under this act, to return to his office a copy of each notice, and the time, place and manner of the service of the same, which shall be filed away and kept until all assessments are paid in full; the said copies in all cases in court to be received as a *prima facie* evidence of what is set forth therein.

Copy of notice and service to be filed.

SECTION 46. The liens authorized by this act shall be filed in the district court, in the municipal lien docket, in like manner as now provided for the city of Allegheny, in same manner as mechanics' liens are filed, and writs of *scire facias* and *levari facias* may be issued therein, as in case of mechanics' liens, and the same costs shall be taken: *Provided however*, That in issuing a *scire facias* upon any such liens, an affidavit of claim shall not be required, and a judgment can be taken in default of an appearance or affidavit of defence after return day, and ten days' service of writ or two *nihils*.

Proceedings on liens.

Proviso.

SECTION 47. The assessments authorized by this act shall be first levied upon the property assessed; said liens to date from commencement of the improvements for which they were made, and shall be filed within six months after completion of said improvements; continue the first liens for five years, and be revived by *scire facias* as other liens. If on sheriff's sale or other judicial sale, enough be not realized to pay off the lien, it shall continue to be a lien until the whole amount with the cost be paid in full.

Liens to be filed within six months.

Liens to remain after judicial sale, if not paid in full.

SECTION 48. No mistake in the description of property or in the name of an owner, or any defect in filing, shall vitiate the lien, but the court shall have power and is required upon motion at any time to correct mistakes or any irregularities in filing the liens, and to add or strike out names as defendants: *Provided however*, That any owner whose name shall be added as a defendant, after the filing of the same, shall be served with a writ of *scire facias* in the same manner as hereinbefore provided for before judgment shall be entered against him.

Mistake in description shall not vitiate lien.

SECTION 49. That a sale of any property by a sheriff upon a writ of *levari facias*, or a judgment obtained on a *scire facias* upon any lien authorized by this act, whether the real owner is named or not, shall be deemed a proceeding in *rem*, and shall vest a good title to the purchaser to the property thus purchased: *Provided however*, That the owners of property thus sold can redeem the same within one year from the date of sale, by payment of the purchase money, and all other moneys expended in account or value of improvements made

Sheriff's sales, relative to.

Proceedings redeem.

on or about said property, of any nature, or for any purpose whatsoever, with twenty per centum added thereto; and any person entitled to redeem, may present a petition to the court from which the process to make sale had issued, setting forth the facts and his readiness to pay the redemption money; whereupon the court shall grant a rule to show why the purchaser shall not re-convey to him the premises sold, to be served with notice as directed by the court, and if the petitioner should prove the facts necessary to entitle him to redeem, the court shall make such rule absolute and enforce it by attachment.

Proceedings when owners are unknown.

SECTION 50. When the owner of a lot is unknown, the lien shall be filed against unknown owner and indexed accordingly; a *scire facias* may issue thereon as aforesaid, which shall be published by the sheriff for four weeks in two daily papers, with a full description of the lot, the amount assessed thereon and for what purpose it was made. Judgment may then be entered and the lot sold on *levari facias*, to the same effect as if the real owner had been named.

Viewers.

SECTION 51. Councils are empowered to appoint a board of viewers, not less than three or more than seven in number, and to define the duties of said viewers, where same is not herein mentioned by ordinance; their term of office shall be one year, and they shall be paid three dollars per diem for every day they so serve.

Terms of office and compensation.

May administer oaths.

SECTION 52. That the said viewers shall be and are hereby authorized to administer oaths to all witnesses examined before them, and a majority of said viewers shall be sufficient in all cases to perform the duties required of them by this act.

Liens not invalid because of irregularities.

SECTION 53. That the municipal assessment heretofore made, and the municipal liens of said borough heretofore filed, shall not be deemed invalid in consequence of any irregularities or defects in the proceedings or filing of the same; the court shall have power, on motion, to correct any errors or defects in said liens, and to add or strike out names as defendants; and thereafter the proceedings to collect said assessments and said liens shall be as far as possible in conformity to the provisions of this act.

Construction of term "owner."

SECTION 54. That the term "owner," as used in this act, shall be construed to mean all individuals, incorporated companies and religious, benevolent, literary or other societies or associations having any title or interest in the properties appraised or assessed; and in case of leaseholds or different estates in the same property, the viewers, appraisers or assessors shall have the power to apportion the damages or assessments among the different owners, or between the lessors or lessees, and report how much each one shall receive or pay.

Appeal from assessment.

SECTION 55. That when any appeal shall be taken from any appraisement or assessment made in pursuance of this act, the lien of such assessments shall continue for six months after the final determination of such appeal; and the time of filing such liens shall be extended until the expiration of six months after such final determination.

SECTION 56. Where the defendant in any writ of *scire facias* authorized by this act may be made a public corporation, and

the property assessed and upon which the *scire facias* is issued cannot for any reason in law be sold upon a judgment obtained upon such *scire facias*, such liens shall be prosecuted to judgment on the *scire facias*, and the writ of execution to be issued on any such judgment shall be a writ of *fiery facias*, by virtue of which the sheriff may levy upon any personal property, goods, chattels, moneys or effects of the said corporation.

Proceedings when defendant in *scire facias* is made a public corporation.

SECTION 57. That all proceedings relative to the opening, widening or extending of streets, lanes or alleys in said borough, commenced prior to the passage of this act, shall, after such time, be carried on and completed as far as possible under the provisions of this act; also, that all assessments for grading, paving and curbing, made but not filed prior to the passage of this act, shall be filed and proceeded upon as far as possible under the provisions of this act.

Proceedings relative to opening streets, &c.

SECTION 58. That whenever any owner of property shall have sustained damages greater than the advantages and benefits conferred by the change of the grade of any street, lane or alley in said borough, said councils shall have power to levy and collect the said damages by an assessment upon the properties that may be benefited by the said change of grade; and upon the petition of any person claiming damages, it shall be the duty of said councils to appoint three discreet and disinterested freeholders of said borough as appraisers to appraise the damages of the petitioner, and all others who may have sustained damages by the said change of grade, and to make assessments therefor: *Provided*, That no person shall be entitled to damages unless some one make application for appraisers within thirty days after said change of grade by councils: *And provided further*, That when said councils shall propose to change a grade they may, before taking action, appoint the said appraisers, to whom all claims for damages shall be submitted, and no other claims thereafter shall be received or entertained or allowed; and upon return of the report of said appraisers, councils may or may not, at their discretion, make the proposed change of grade.

Assessments authorized on properties benefited to pay damages to persons injured.

Appraisers.

Proviso.

SECTION 59. That all acts or parts of acts inconsistent with, or supplied by this act, are hereby repealed, except so far as may be necessary to consummate the proceedings and collect the assessments in cases now pending and not herein otherwise provided for.

Repeal.

SECTION 60. The appraisers provided for in section fifty, before entering upon their duties, be sworn faithfully to discharge their duties, which duties shall in all respects be the same as that of viewers in the opening of streets, as provided for in this act; and upon their report being made to councils, the like proceedings shall be had to councils, and to like effect and with like appeal to court of quarter sessions, and the like proceeding shall be had for the collecting of the assessments and paying the damages as prescribed in this act in the matter of opening, et cetera, of streets: *And provided*, That when the appraisers cannot find property benefited sufficient to pay damages, that the said borough shall pay the said damages.

Duties of appraisers provided for in section 59.

Appeal.

SECTION 61. In all cases where lands in said borough are

Plot of lands donated to public to be submitted to council.

hereafter sub-divided and laid out into blocks or lots, sub-lots, streets and alleys, or new streets, for public grounds, are donated or granted to the public by any proprietor in order to secure a uniform plan in the laying out of such streets and alleys, the map or plot thereof shall be submitted to councils for their approval; if they approve of the same, they shall certify upon it their approval, and no such map or plot shall be entitled to record or have any validity until so approved by the councils.

Councils may improve ground between high and low water line.

SECTION 62. The councils shall have authority to grade, pave, macadamize, or otherwise improve the ground lying between high and low water line within the boundaries of the borough, and ordain, establish, levy and collect such reasonable rates or charge for the use and enjoyment of said wharf and landing as may be necessary for the re-payment of the sums thereon expended, and provide a revenue for the borough: *Provided*, That no special assessment shall be made against the property abutting or fronting on said wharf for said grading, paving or macadamizing, or other improvements thereof.

May vacate unopened street on petition of owners.

SECTION 63. The councils may, upon the petition of all the owners of property on any unopened street, lane or alley in said borough, vacate and annul said street, lane or alley, upon such terms and conditions as may be equitable and just.

Law relating to sewers in Allegheny city extended to this borough.

SECTION 64. The act of assembly, approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty-nine, revising and amending the law relating to sewers in Allegheny city, be and the same is hereby extended to this borough.

Act of April 3, 1869, also extended.

SECTION 65. The act of assembly, approved the second day of April, Anno Domini one thousand eight hundred and sixty-nine, relating to the registering of lots in Allegheny city, be and the same is hereby extended to said borough: *Provided*, That the provisions of this act shall not interfere with the vested rights of the owners of property so as to prevent them from obtaining through the courts remuneration for any damages they may sustain: *Provided further*, That no tax-payer of the borough of East Birmingham shall serve as jurors in any case in which the injuries to said property shall be in question.

Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 820.

A Supplement

To an act, entitled "An Act to incorporate the State Line and Juniata railroad."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the time for the payment of the enrolment tax on an act, entitled "An Act to incorporate the State Line and Juniata railroad," approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby extended for one year; and that any three of the commissioners named in the said act shall have authority at any time and place to open books and receive subscriptions to the capital stock of the company, which subscriptions shall be valid, without the payment of five dollars per share at the time the same may be made; and that the capital stock of the company shall consist of five hundred thousand dollars, with authority to increase the same as is provided in the act aforesaid.

Time for payment of enrolment tax, extended.

Subscriptions to capital stock, relative to.

SECTION 2. That said company shall have authority to locate their road and branches on the most eligible route, without reference to the terminal or intermediate points mentioned in said act, and to extend their road eastwardly and westwardly, in such manner as in the opinion of the directors of the company will enable them to make proper connections with other railroads, and to connect with the same, and to erect, maintain and operate a telegraph along its line of road; and when letters patent shall have been issued, an election for directors of the company shall be held, in accordance with the general railroad law, approved the fourteenth February, Anno Domini one thousand eight hundred and forty-nine; and the said company shall have authority to change the name of the company, which change shall be valid for all purposes, upon filing a copy thereof in the office of the secretary of the commonwealth, signed and attested by the president and secretary, with the seal of the company.

Location and extension of road.

May operate and maintain telegraph.

May change name.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 821.

An Act

To pay a gratuity and an annuity to John Hughes, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, John Hughes, a soldier of the war of one thousand eight hundred and twelve, a citizen of Pennsylvania, and now eighty-two years of age, in necessitous circumstances and not worth five hundred dollars, served in said war by enlistment:

And whereas, By reason of his necessitous circumstances, and by reason of the length of time since service in said war, he cannot now procure the testimony of the witness required by the act of March thirtieth, one thousand eight hundred and sixty-six:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and required to pay to John Hughes, of Huntingdon county, a soldier of the war of one thousand eight hundred and twelve, a gratuity of forty dollars, and an annuity of sixty dollars (\$60) per annum, payable semi-annually, commencing on the first day of June, one thousand eight hundred and seventy-one, and continue during the natural life of said John Hughes: *Provided*, That when the general government shall grant to the said Hughes a pension, then the pension hereby granted shall cease.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 822.

An Act

To change the mode of collecting the road tax of the borough of Conneautville, Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act the burgess and council of the borough of Connneautville, Crawford county, be and are hereby authorized to levy and collect, in money, from the taxable inhabitants thereof, the amount of tax assessed by them for road purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 823.

An Act

To incorporate the Miners' Trust and Safe Deposit Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John B. Douty, Isaac May, Henry Guiteman, Andrew Robertson, Alexander Fulton, Andrew Langdon, Addison G. Marr, and all others who may be associated with them, and their successors, shall be and they are hereby incorporated as a body politic and corporate, under the name, style and title of the Miners' Trust and Safe Deposit Company, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded, and defend in any court whatsoever.

Corporators.

Name.
Powers and
privileges.

SECTION 2. That the said corporation shall have power to receive upon deposit, for safe-keeping, jewelry, plate, stocks, bonds and valuable property of any kind, upon terms to be prescribed by the by-laws of said corporation; and in addition to receiving the above mentioned deposits, the said corporation shall have power to receive and hold on deposit and in trust, as security, guardian, trustee or executor, or otherwise, on such terms as may be agreed upon between the contracting parties, estate, real or personal, and shall have power to dispose of the same by sale, or lease or otherwise, according to the terms of said agreement; and also to purchase, collect, adjust, settle, sell and dispose of notes, bonds and obligations, and accounts of states, companies, corporations, executors, guardians, administrators and individuals in any place, without any proceedings in law or equity, or on such terms as may be agreed on between this company and the parties contracting with it; and the receipts given to this corporation by minors

Business.

or married women, shall discharge said corporation from any further claims for the sum so repaid.

Capital.

Number of directors.

First board.

SECTION 3. The capital stock of the said company shall be one thousand shares, of one hundred dollars each, with power to increase the same to two thousand shares. The board of directors shall consist of not less than four, nor more than nine, at the option of the stockholders, and the persons above named, or as many of them as may be agreed upon, shall constitute and be the first board of directors, and they and all subsequent boards shall continue in office until their successors are elected, at such times as the stockholders at their meetings shall direct; and such directors may, and they are hereby authorized and empowered to have and to exercise, in the name and in the behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due, or about to become due, on the shares of the stock of the company held by them; and the said board of directors to have full power to make such by-laws, ordinances, rules and regulations as may be deemed expedient for the management of the business of said company.

By-laws.

Place of business.

SECTION 4. The place of transacting business by this company shall be in Shamokin, Northumberland county, Pennsylvania.

Bonus.

SECTION 5. The said company shall pay to the state treasurer, for the use of the state, a bonus of one quarter of one per cent. on the capital stock of said company, or an increase thereof, payable in four equal annual instalments.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 824.

An Act

Relative to appeals from judgments of magistrates in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no appeal from the judgment of an alderman or justice of the peace in the county of Allegheny shall be allowed, un-

less the appellant or some person acting in his behalf, having knowledge of the facts of the case, shall file with the alderman or justice an affidavit, setting forth that the appeal taken is not for the purpose of delay, but that if the proceedings appealed from are not removed, the appellant will be required to pay more money or receive less than is justly due; which affidavit shall be attached to the transcript by the alderman or justice to be filed with the appeals.

Affidavit required in appeals from judgment of justice or alderman.

SECTION 2. That all appeals as aforesaid shall be filed in the court of common pleas of the county of Allegheny, on or before the monthly or term return day in said court next ensuing the date of the entry of the judgment before the alderman or justice, instead of to the first day of the next term as heretofore: *Provided*, That if the appellant shall perfect his appeal by bail and affidavit as aforesaid, within twenty days after the entry of the judgment as aforesaid, such appeal shall be effectual in case he shall file the transcript of the record of the alderman or justice and the affidavit as aforesaid, on or before the next return day of said court thereafter.

Appeals to be filed before next monthly return day.

Proviso.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 825.

An Act

To authorize the Long Reach independent school district, in the county of Lycoming, to borrow money for school and building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Long Reach independent school district, in the county of Lycoming, be and is hereby authorized to borrow money for school and building purposes, to an amount not exceeding one thousand dollars, at a rate of interest not exceeding eight per centum per annum.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 826.

An Act

To repeal an act, entitled "An Act to authorize the purchase or erection of a poor house for the township and borough of Mount Carmel," approved April twenty-fourth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to authorize the purchase or erection of a poor house for the township and borough of Mount Carmel," approved April twenty-fourth, one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 827.

An Act

Authorizing the state treasurer to refund collateral tax erroneously paid by Edward S. Marshall, executor of the estate of Susanna Pusey, late of Chester county, deceased.

WHEREAS, Edward S. Marshall, executor of the estate of Susanna Pusey, late of Chester county, deceased, supposing that the balance due said estate, after the payment of all just debts, would at least be equal to the sum of five thousand dollars, did on the twenty-third day of September, Anno Domini one thousand eight hundred and sixty-nine, (within three months after the death of the decedent,) pay over to the register of wills, et cetera, of Chester county, the sum of two hundred and thirty-seven dollars and fifty cents as collateral tax upon said estate, when, as it afterwards appeared by the account of the executor, confirmed by the orphans' court, that the balance for distribution is four thousand four hundred and

seventy-five dollars and ninety-eight cents, so that there was only two hundred and eleven dollars and thirty cents collateral inheritance tax due the commonwealth :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to refund to Edward S. Marshall, executor of the estate of Susanna Pusey, late of Chester county, deceased, the sum of twenty-six dollars and twenty cents erroneously paid by him as collateral tax upon said estate: *Provided however,* That before said money or any part thereof is paid by the state treasurer, the said Edward S. Marshall shall produce satisfactory evidence to the auditor general that such sum was erroneously paid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 828.

An Act

Changing the boundary line of the First precinct of Shaler township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the passage of this act the boundary line between the First precinct of Shaler township, and the borough of Millvale, Allegheny county, shall be changed as follows: After continuing along the lands of William Sample, Sr., it shall extend to the Evergreen plank road; thence following the meanderings of said plank road, to its intersection with the Butler plank road; thence southerly, in a direct line, to the low water mark in the Allegheny river.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 829.

An Act

Authorizing the governor to appoint a gauger and inspector of crude and refined petroleum for the county of Clarion, and one for the county of Armstrong.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is hereby authorized to appoint a gauger and inspector of crude and refined petroleum for the county of Clarion, and one for the county of Armstrong, whose duties shall be the same as the inspector of domestic distilled liquors for the county of Allegheny, and whose compensation shall be, for every car of oil gauged, fifty cents, and at that rate for all oil in bulk, and two cents per barrel when gauged by the barrel.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 830.

An Act

Relating to certain railroad, canal and incorporated companies authorized to construct railroads, and authorizing such companies to purchase and hold stock and bonds, to lease roads and property of and consolidate with each other, in the counties of Susquehanna, Wyoming, Wayne and Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any railroad, canal or navigation company incorporated by or exercising within this commonwealth, and under and in pursuance of the laws thereof, corporate privileges within the counties of Susquehanna, Wyoming, Wayne and Luzerne, to purchase and hold the stock and bonds,

and to lease the road and property of, or become consolidated and merged with, any other incorporated company authorized by the laws of this commonwealth to construct a railroad or possessing railroad privileges, and for any such any incorporated company so authorized to construct a railroad, or possessing railroad privileges, to purchase and hold the stock and bonds, and to lease the road, canal and property of, or become consolidated and merged with, any such railroad, canal or navigation company, in the same manner as such purchases, leases, consolidation and merger are now provided or allowed by law, and by and between railroad companies incorporated by this commonwealth; and all the provisions of existing acts relative to such purchases, leases, consolidation and merger by and between railroad companies incorporated by this commonwealth are, whenever or so far as applicable, hereby extended so as to embrace the purchases, leases, consolidations and mergers hereby authorized, and so that the authority by this act conferred may be effectually and lawfully exercised; and when any merger and consolidation shall be made in accordance with the provisions of this act, all the property, rights, franchises and privileges of the company so merged shall, by virtue of such merger, be thereby transferred to and vested in the company into which such merger shall be made: *Provided*, That any consolidated company formed by merging of two or more companies, under the provisions of this act, shall not charge any higher rates for transportation than the rates now allowed by law over the respective roads so merged.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 831.

An Act

To incorporate the Lock Haven, Nittany and Sugar Valley Narrow Gauge Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That L. A. Mackey, W. W. Morrison, G. O. Deise, C. A. Mayer, H. F. Beardsley, P. Jarrett, A. C. Noyes, J. C. C. Whaley, E. C. M'Clure, A. F. Bisel, senior; Abram Grafius, A. H. Commissioners.

Name.	Best, O. D. Satterlee, Samuel Christ, G. D. Bowman, W. H. Brown, W. W. Rankin, F. P. Myers, W. H. Moore, R. R. Bridgens, Simon Scott, R. H. Boggis, G. W. Hipple, Jacob Brown, J. N. Wellion, William Parsons, J. W. Smith, S. R. Peale, T. C. Kintzing, W. A. Simpson, C. S. M'Cormick, N. Shaw, J. W. Chapman, Robert Irvin, R. G. Cook, S. H. Fredericks, Herman Simons, G. S. Good, W. L. Hamilton, James Welsh, Boyd C. Packer, W. H. Sanderson, S. R. Stover, Robert Mann, David Clark, J. S. Furst, S. H. Brown, Samuel Kryder, Thomas J. Fox, G. J. Eldred, W. A. White, John Donblazer, George Worrick, Samuel Watson, Thomas Huston, John Rishel, John Heckman, John Kleckner, M. D. Rockey, David Shrack, D. K. Heckman, G. A. Achenbach, Joseph Snook, W. A. Murray, J. L. Eckel, Jacob Karstetter, Robert H. Duncan, Amos Alexander, Michael Gepheart, Captain James H. Smith, William L. Musser, Jonathan Creamer, D. A. Musser, John Smith, Thomas Wolf, Doctor D. J. Hillibish, John Reynolds, P. S. Beirley, J. Rouse, H. Shaffer, W. Shaffer, H. Corman, J. W. Sholl, Daniel Brumgart, T. N. Wolf, Colonel John Rishel, John Grove, J. B. Fisher, Frederick Kurtz, G. W. Stover, D. D. M'Kean, A. C. Geary, B. F. Shaffer, Henry Beck, N. M. Frank, John Divins, Henry Dunkle, M. Hübler, Michael Shaffer, William Robinson, Conrad Lesche, Lot Struble, George Shaffer, C. T. Alexander, Henry P. Harris, George W. Jackson, J. D. Shugert, W. H. Blair, J. P. Gepheart, W. W. Brown, Henry, Bockerhoof, D. G. Bush, William Shortlidge, S. S. Wolf, Doctor E. J. Deshler, J. G. Meyer, J. P. Coburn, A. O. Furst, Abram Sussman, Edmund Blanchard, John H. Orvis, C. D. Keller and Thomas Blackburn, or any ten of them, be and they are hereby appointed commissioners, to open books and receive subscriptions, and organize a company, by the
Subject to	name, style and title of the Lock Haven, Nittany and Sugar Valley Narrow Gauge Railroad Company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved February nineteenth, one thousand eight hundred and forty-nine, except so far as the same may be inconsistent with the provisions of this act: <i>Provided</i> , That four weeks' notice of the time and place of meeting to open books shall be given by publication in two papers in the county of Centre and two papers in the county of Clinton.
Proviso.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of ten thousand shares, of the value of fifty dollars each; and the company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock to so much as in their opinion may be necessary to complete and equip the said road and carry out the true intent and meaning of this act.
Construction of railroad authorized.	SECTION 3. That the said company shall have the right to build and construct a railroad, of such gange or gauges, not exceeding forty inches, as the directors of said company shall determine, from the city of Lock Haven, to any point within the limits of the county of Clinton, or of the county of Centre, not to exceed forty miles in length, with the right and privilege to build and construct branches or lateral railroads, not ex-
Branches.	

ceeding ten miles in length, from the point of intersection with the main line of said railroad, and shall have the right to connect with any railroad constructed or to be hereafter constructed.

Right to connect.

SECTION 4. That the said company shall have the right to issue their bonds, to an amount not exceeding seven thousand dollars per mile of said railroad, at a rate of interest not exceeding eight per centum per annum, and secure the payment of said bonds by a mortgage of the corporate rights, franchises and property, both real and personal, of said company; and the directors of said company are authorized to negotiate said bonds at such price as they may determine.

May issue bonds;

Negotiation of bonds.

SECTION 5. That in all cases where said company and the owners of land and materials cannot agree upon the amount of damage claimed, either for land or materials, the said company may tender a bond, with sufficient security, to the party claiming damages, the condition of which shall be that the company will pay or cause to be paid such amount of damages as the party shall be entitled to receive, after the same shall have been agreed upon by the parties, or assessed according to law: *Provided*, In case the party or parties claiming damages refuse to accept the bond or bonds tendered by said company, the said company may, in such cases, present their bond or bonds to the court of common pleas of the proper county, or any one of the judges thereof, and if the said court, or any one of the judges thereof, approve the security, they shall direct the said bonds or bonds to be filed in the prothonotary's office of said court, for the benefit of those interested; whereupon, the said company may enter upon or take possession of such land or materials.

Proceedings in cases of disagreement as to damages.

SECTION 6. That in all cases in which the owners of lands and materials are minors, lunatics or habitual drunkards, it shall and may be lawful for the guardian or committee of such owners and the said company amicably to adjust the amount of damages to be paid, if they can agree; and on payment of the amount, it shall be lawful for such guardians or committees to release said company from all claims therefor, and to execute all necessary papers in the premises; in case the said parties cannot agree, the said company may proceed as is provided for in the fifth section of this act.

Proceedings when owners of lands and materials are minors, &c.

Releases from claims.

SECTION 7. That the number of directors shall be seven, and the president and four directors of said company shall constitute a quorum to do business.

Directors.

Quorum.

SECTION 8. That the first section of the act of assembly of April twenty-seventh, one thousand eight hundred and fifty-five, entitled "An Act extending the right of trial by jury to certain cases," the second and third sections of the act of assembly of April ninth, one thousand eight hundred and fifty-six, entitled "A supplement to an act, entitled 'An Act regulating railroad companies,' approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine," shall not be applicable to said company.

Portions of certain acts not applicable to.

SECTION 9. That the said company may from time to time establish, charge, demand and receive such rates of toll or other compensation for the use of such road and of their

Tolls.

· motive power, and for the conveyance of passengers, the transportation of merchandise and commodities, and for the cars and other vehicles conveying the same, or otherwise passing over or on the said railroad, as the directors may determine.

Commence-
ment and com-
pletion.

SECTION 10. That the said railroad shall be commenced within five years, and shall be completed within ten years from the date of this act: *Provided*, That the right to construct branches shall not terminate with such completion, but shall continue a corporate power of such corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 832.

An Act

To incorporate the Youghiogheny Bank of Connellsville.

Corporators.

Name.

Privileges.

Capital stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Allen, A. O. Tinstman, Samuel Freeman, Isaac Hurst, A. C. Nutt, Jesse Smith, Jonathan Enos, Alexander Hill, James B. Caven, Isaae W. Rutter, Daniel Kaine, Provanee M'Cormick, David L. Walker, Edward Perkin and Edward Dean, and their successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Youghiogheny Bank of Connellsville, to be located in the town of Connellsville, Fayette county, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever, and may have a common seal, may renew or alter the same, also may have the right to own and hold real estate and improve or dispose of it at pleasure.

SECTION 2. The capital stock of said company shall consist of five hundred shares, of the value of one hundred dollars each, with the privilege of increasing the same, by a vote of the stockholders, to two thousand shares of the like value per share; and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders, within ten days after receiving

notice of such increase, then the board of directors may dispose of such shares of new stock in such manner as they may deem best.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient; and when two hundred and fifty shares, or more, of said stock shall have been subscribed, and fifty per centum thereon of the same paid in, the shareholders may elect six directors, one of whom shall be president, to serve until the next annual election, or until their successors shall have been duly elected and qualified.

Subscriptions.

First election for directors.

SECTION 4. The said bank shall have power and may borrow and lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust, or as collateral security for loans or advances, or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, states, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts, as security for which the same may be held, in any market of the world, without proceedings in law or equity.

Banking privileges.

SECTION 5. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states, and of the United States or other good and sufficient securities, at legal rates of interest as may be agreed upon by the said bank and the borrowers.

Additional banking privileges.

SECTION 6. The board of directors shall have power to declare and pay dividends out of the earnings of the company, to the stockholders, at such times and in such amounts as to them may seem proper; and said company shall pay to the state treasurer a tax on such dividends as is or may be imposed by law.

Dividends.

Tax to state.

SECTION 7. The annual election for directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the company; directors shall elect one of their number president, and shall have power to elect all other officers or agents they may deem necessary for conducting the business of the company; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of, and two weeks prior to the election for which such proxy was given; two weeks' notice by publication in one of the county papers shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Annual election for directors.

Officers and agents.

Votes.

Notice.

SECTION 8. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with laws of the state or United States, and shall have power to require payments of any amounts re-

By-laws.

Payments of amounts remaining unpaid on stock.

maining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty in case of non-payment, as required, of forfeitures to the bank of such stock and all previous payments thereon.

Payment of deposits, &c., to minors or married women.

SECTION 9. That the board of directors shall have power to pay, on application, the check, paper, receipt or order of any minor or married woman, such money or any part thereof as he or she may have deposited to his or her credit, or any interest or dividend accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband or creditors of the husband of such married woman, to attach or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes

Liability of stockholders.

SECTION 10. That the stockholders shall be personally liable to an amount double the capital stock held by them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 833.

An Act

Providing for the removal of the dead in the Methodist burial ground, Harrisburg.

Trustees authorized to remove remains from cemetery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of Locust Street Methodist Episcopal church of the city of Harrisburg are hereby authorized and empowered to remove from the cemetery connected with said church the remains of all the dead interred therein, and to re-inter the same in such lots in the cemetery adjacent to said city, or elsewhere, as the friends and relatives of the dead may select and pay for; but if no such selection be made, then to have the same interred in such lots in said cemetery as the said trustees shall select, provide and pay for; those who have no tombstones, or cannot by any other means be identified, may be interred as the trustees may elect: *Provided*, That the

grave-stones and monuments that now mark any particular grave shall also be removed, and erected on the corresponding grave in the grounds of the said cemetery company.

Grave-stones and monuments to be removed.

SECTION 2. That before any bodies shall be removed, as provided in the preceding section, the trustees of said church shall publish notices in two of the principal newspapers of the county, for at least thirty days, of such intended removal, and that the expense of said removal be borne by the Locust Street Methodist Episcopal church of Harrisburg.

Notice of removal to be given.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 834.

A Supplement

To an act to authorize a re-organization of the Pennsylvania Steel Company and an increase of its capital stock, approved March twenty-third, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pennsylvania Steel Company shall have power to increase its capital stock, by a vote of a majority of its shareholders, at any annual or special meeting, to such amount as they may from time to time deem needful, not exceeding in the aggregate three million dollars; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase, upon the payment of the par value of the same.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 835.

An Act

To authorize James M. Taylor, an alderman of the Ninth ward of the city of Pittsburg, in Allegheny county, to have his family residence in the Nineteenth ward of the city of Pittsburg during the remainder of his term of office.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James M. Taylor, an alderman of the Ninth ward of the city of Pittsburg, in the county of Allegheny, is hereby authorized to have his family residence in the Nineteenth ward of said city during the remainder of his present term of office: *Provided however,* That his office of alderman shall continue to be in said Ninth ward, city of Pittsburg.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 836.

An Act

To exempt the county of Lycoming from the provisions of an act, entitled "An Act to protect timber lands from fire," approved June second, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county of Lycoming be and the same is hereby exempted from the provisions of an act of assembly, entitled "An Act to protect timber lands from fire," approved June second, Anno Domini one thousand eight hundred and seventy.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 837.

A Supplement

To an act, entitled "An Act to open an alley in the borough of Brookville."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act to which this is a supplement as authorizes the laying out that part of a public alley in the borough of Brookville, from the Red Bank creek south of the south-west corner of lot number twenty-two, along the west side of said lot, as also along the west side of lots number one, forty-eight, forty-nine, ninety-eight, ninety-nine and five, and running parallel to Barnett street, in said borough, to Church street, as lies between Main street and the Red Bank creek, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 838.

An Act

To repeal an act, entitled "An Act authorizing the burgess and council of the borough of Sunbury, in Northumberland county, to open and extend Second and Fourth streets, in said borough," approved the twenty-second day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved the twenty-second day of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act authorizing the burgess and council of the borough of Sunbury, in Northumberland county, to open and extend Second street and Fourth street, in said borough," be and the same is hereby repealed.

Authority to
open and ex-
tend Second
and Fourth
streets, repealed

Streets laid out
but not opened,
vacated.

SECTION 2. That any street, or streets, laid out or extended under the provisions of the said act, and not already opened and used, be and the same is hereby vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 839.

An Act

Supplementary to an act relating to mechanics' lien and others, approved first day of May, one thousand eight hundred and sixty-one, be extended to Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "A supplement to an act relating to the lien of mechanics and others upon buildings, approved the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six, so far as relates to certain counties," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, be and the same are hereby extended to the county of Lebanon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 840.

An Act

To repeal the eleventh section of an act approved the twenty-sixth day of April, one thousand eight hundred and fifty-five, entitled "An Act relating to corporations and estates held for corporate, religious and charitable uses," as far as relates to the will of Clara Hoffman, deceased.

WHEREAS, Clara Hoffman, deceased, late of the city of Philadelphia, in the commonwealth of Pennsylvania, did, on the twenty-third day of April, Anno Domini one thousand eight hundred and seventy, make her last will and testament, wherein she, the said testatrix, *inter alia*, did bequeath all the rest and residue of her estate, amounting to less than eleven hundred dollars, after the payment of the several charges and specific legacies in said last will and testament mentioned, to religious and charitable uses, and said testatrix died within one calendar month after the date of her said will, leaving no known kindred; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eleventh section of the act of the general assembly of this commonwealth, entitled "An Act relating to corporations and to estates held for corporate, religious and charitable uses," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, be and the same is hereby repealed, so far as the last will and testament of the said Clara Hoffman, of the city of Philadelphia, is concerned; and any devises or bequests made by said testatrix to religious and charitable uses and purposes, shall be held and esteemed as good and valid as though in law and equity said eleventh section of said recited act had not been passed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 841.

An Act

Authorizing the burgess and town council of the borough of Braddocks, in the county of Allegheny, to establish and regulate borough weigh-scales.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Braddocks, in the county of Allegheny, are hereby authorized and empowered to establish, by ordinance, one or more weigh-scales within the borough limits, of the capacity of five tons each, to ascertain the weight of coal, slack lime, hay, straw and other articles sold or delivered within said borough, and to regulate and compel the weighing of coal, slack lime, hay and straw, et cetera, sold or delivered in said borough, in accordance with the ordinance or ordinances enacted pursuant to this act.

Authority to establish weigh-scales in borough of Braddocks.

Appointment of weigh-master.

SECTION 2. That said burgess and council are empowered and authorized to appoint one weigh-master for each weigh-scales, who shall give bond, with approved sureties, in a sum to be fixed by ordinance, conditioned for the faithful performance of his duties, and for the prompt return of all moneys due said borough from time to time.

Duty of weigh-master.

SECTION 3. It shall be the duty of the weigh-master to weigh on said scales all such articles as may be brought to the scales for that purpose during business hours, and shall furnish tickets or certificates of the weight and quantity thereof, and shall keep registers in which they shall record the weight or quantity of each load weighed, and the fees received for weighing the same; which registers shall be kept open to public inspection.

Council may require coal, lime, hay and straw, sold or delivered, to be weighed.

SECTION 4. It shall be lawful to require by ordinance that all coal, slack lime, hay and straw sold or delivered within the limits of said borough shall be weighed upon one of the scales, established as hereinbefore provided, and the quantity thereof ascertained by weight by the weigh-master thereof, the quantity of coal to be ascertained at the rate of seventy-six pounds to the bushel; and if any person shall sell or deliver within said borough any coal, slack lime, hay or straw without producing and delivering the proper certificate or ticket of the weight or quantity thereof to the party to whom the same shall be sold or delivered, he shall, for every such offence, forfeit and pay to said borough a penalty, not exceeding five dollars, to be established by ordinance, to be recovered by an action of debt: *Provided*, That this act shall not apply to coal and slack lime sold and delivered to manufacturers who purchase by continuous contract, if buyer and seller agree in writing to waive this law.

Penalty.

Proviso.

SECTION 5. It shall be lawful to establish rates or fees to be paid to the weigh-master, for the use of said borough, by persons producing and weighing articles at said scales; which rates or fees shall be so paid before the weigh-master shall deliver to said persons his certificate of the weight or quantity thereof; and it shall also be lawful to establish a rate of compensation for the services of the weigh-master, to be by him retained out of the proceeds realized from the said scales; the balance be paid over to the treasurer of said brough.

Rates and fees of weigh-master may be established.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 842.

An Act

To incorporate the Iron Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Knox Marshall, Thomas Woods, George M. Barber, W. O. Leslie and George W. Griffin, their assigns, associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Iron Bank, to be located in the city of Philadelphia, and by that name may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, may renew or alter the same, also may have the right to own and hold real estate and improve and dispose of the same at pleasure.

Corporators.

Name.
Powers and privileges.

SECTION 2. The capital stock of said bank shall consist of one thousand shares of the value of one hundred dollars each, with the privilege of increasing the same from time to time, by a vote of the directors, to ten thousand shares of like value per share; and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided,* That if such shares of new stock are not taken by the stockholders, within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Capital.

Increase.

Taking of new stock, relative to.

Corporators
may open books
for subscription.

SECTION 3. The incorporators, or a majority, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient, and when two-thirds, or more, of said stock shall have been subscribed, and fifty per centum thereon of the same paid in, the shareholders may elect five directors to serve until the next annual election or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve to be filled by the board.

When directors
may be elected.

Business.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust, or as collateral security for loans or advances, or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, purchase, collect and adjust the same, and to dispose thereof, for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such price and for such terms as may be agreed upon by the said corporation and the parties contracting therewith.

By-laws.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the state or United States, and shall have power to require payments of any amount remaining unpaid upon the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Penalty for non-
payment of
stock.

May receive de-
posits, buy and
sell stocks, &c.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and borrowers.

May become
financial agent.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of corporations, and as financial agent of the state of Pennsylvania and other states, of city governments and counties and districts in the management of their business, and shall give security to such institutions, states and governments, for the faithful performance of the duties if required.

Dividends.

SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may seem proper.

Annual election
of directors.

SECTION 9. The annual election for directors shall be held on the first Monday in June in each year, unless changed by the by-laws of the bank; the directors shall have power to

elect from among their number a president and all officers or agents that they may deem necessary for conducting the affairs of the bank; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice by publication in all the city papers shall be given of the time and place when such election will be held, and said election shall be conducted according to the by-laws.

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law; the legislature hereby reserves the right to alter, revoke or annul the said bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

SECTION 11. That the stockholders shall be personally liable in double the amount of stock held by them severally, and this charter shall continue for twenty years.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 843.

A Further Supplement

To an act to incorporate the Warren and Jefferson Railroad and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and seventy, and the supplement thereto, approved the third day of March, Anno Domini one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in place of the persons named as commissioners in the first section of the act to which this is a supplement, the following named persons be and they are hereby appointed, to wit: L. F. Watson, P. Falconer, R. Brown, O. C. Allen, O. H. Hunter, T. Chase, W. W. Wilbur, W. H. H. Fenton, J. J. Taylor and J. R. Capron.

Commissioners substituted.

SECTION 2. That the sixth section of the act to which this

Repeal.

is a supplement is hereby repealed, and all of the second section in the supplement to this act, approved the third day of March, Anno Domini one thousand eight hundred and seventy-one, excepting the words relating to the enrolment tax, which are as follows: "That the time for payment of the enrolment taxes on the act to which this is a supplement is hereby extended one year from the passage of this act."

Exception.

Majority of new commissioners may open books, &c.

SECTION 3. That upon the passage of this supplement a majority of the corporators named therein, upon giving one week's notice in one or more of the papers published in the borough of Warren, open books and receive subscriptions to the capital stock, as provided in the first section of the supplement to the act approved the third day of March, Anno Domini one thousand eight hundred and seventy-one; and when a majority of the capital stock mentioned in said supplement shall have been subscribed and ten per cent. paid in, the stockholders may proceed to an election of directors, who shall consist of nine stockholders; and that so much of the act to which this is a supplement, as is inconsistent herewith, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 844.

An Act

For the division of the borough of Shamokin into two wards, and for the better government of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Borough of Shamokin divided into two wards.

That from and after the passage of this act the borough of Shamokin, in the county of Northumberland, shall be divided into two wards, as follows, to wit: All that part of said borough lying east of a line commencing at the extreme south-east corner of block one hundred and twenty-nine (129,) and running thence in a northerly direction to the eastern side of block numbered seventy-three (73,) and the west side of Ninth street, running thence along the west side of Ninth street to the south-east corner of block numbered seven (7,) and the west side of an alley running along the east side of said

Division line.

block to Sunbury street, thence to the south-east corner of a lot belonging to Washington Sminck, on the north side of Sunbury street, and thence in a northerly direction along the line of said lot, et cetera, to the northern boundary line of the said borough, shall be called the East ward, and all that portion of the said borough lying west of said line, shall be called the West ward.

SECTION 2. That the said East and West wards shall, from and after the passage of this act, form two separate election districts, and the qualified voters resident therein shall hereafter separately elect, in each year, on the day fixed by law for the holding of the annual election, one judge and two inspectors to conduct the elections in said wards; and all the borough officers as heretofore authorized, whose election is not herein otherwise provided for, shall be elected by the joint vote of said East and West wards, as if this act had not been passed; and the judges of elections in the said wards are hereby appointed return judges of their respective wards, to meet at the council chamber in said borough, on the day following said annual election, in each year, at one o'clock in the afternoon, and after being duly qualified according to law, shall proceed to sum together the votes cast for the several candidates for the several offices, as found in the duly certified returns of their respective election boards, and shall issue, duly certified under their hands and seals, notices to such persons as shall have received the greatest number of votes for the several offices for which they were candidates; which notices shall be served upon the persons elect in the same manner as is now directed by the election laws of this commonwealth.

Separate election districts.

Election officers

SECTION 3. That the judge and inspectors who were elected at the last election, in the borough of Shamokin, shall hold the next election for the East ward; and Reuben S. Aucker is hereby appointed judge of election and David N. Lake and Galin Holshoe inspectors of election in and for the West ward, to continue in office until their successors shall be chosen.

Judge and inspectors last elected to hold East ward election.
Officers for West ward.

SECTION 4. That all borough, general and special elections, in and for the said East ward, shall be held at the public house of William M. Weaver, in said East ward; that all elections as aforesaid, in and for the West ward, shall be held at the public house of Patrick Kearius, in said West ward: *Provided*, That in all future elections to be held under this act no person shall be entitled to vote for borough officers who shall not have paid within one year a borough tax, which tax shall have been assessed at least ten days preceding such election.

Places of holding elections.

Who may vote for borough officers.

SECTION 5. That the East ward shall elect two persons for justices of the peace, and the West ward shall elect two persons for justices of the peace, one thereof at the next borough election; and that the chief burgess, assistant burgess, councilmen, assessor, assistant assessor, school directors and auditors shall be elected on a general ticket.

Justices of the peace.

General ticket.

SECTION 6. That all fines which shall be imposed and collected by any burgess or justice of the peace, for offence against any law or borough ordinance, for drunkenness, disorderly conduct or breach of the peace within the said bor-

Fines to be paid monthly to treasurer.

Penalty for neglect or refusal.

ough, shall be paid to the treasurer of the said borough at the end of each and every month; and upon the neglect or refusal of any such magistrate to pay over such fines as aforesaid, he shall be guilty of a misdemeanor, and upon conviction thereof he shall be sentenced to pay a fine of not less than twenty dollars nor more than one hundred dollars, for the use of said borough; such fine or fines to be collected as fines of like amount are now recovered by the laws of this commonwealth.

Subject to provisions of Bloomsburg act.

SECTION 7. In the election of all borough and ward officers in said borough, (except inspectors of election,) whenever two or more persons are to be elected to the same office for the same term of service, they shall be voted for and chosen under the provisions of the fourth section of the Bloomsburg act of fourth of March, Anno Domini one thousand eight hundred and seventy; and vacancies in said offices, when the manner of filling them shall not be otherwise provided for by law, shall be according to the fifth section of the same act, by the court of quarter sessions of Northumberland county; the manner of voting herein provided for shall apply to the election of justices of the peace and directors of common schools.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 845.

An Act

To release Benjamin Corsin, of Washington county, from the payment of certain collateral inheritance tax.

WHEREAS, Nancy Carter, late of Washington county, Pennsylvania, deceased, by her last will and testament, admitted to probate May fifteenth, one thousand eight hundred and sixty-nine, devised to her son-in-law, Benjamin Corsin, eighty-eight acres of land, which devise the scriviner of the will believed was intended to be made to the wife of Benjamin Corsin, who was the daughter of the testatrix, and not to him; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Benjamin Corsin be and he is hereby released from the

payment of the collateral inheritance tax due the commonwealth on the devise of eighty-eight acres of land made to him in the last will of Nancy Carter, late of said county, deceased.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 846.

An Act

To authorize the opening of Lowrie street, in Reserve township and Millvale borough, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following public street or road, to be known as Lowrie street, shall be opened in the county of Allegheny, to wit: Beginning at Ravine street, in the city of Allegheny, thence running along the line of lands owned by Adam Reinaman, A. N. Burchfield and others, and preserving a uniform width of forty feet, by the following courses and distances, so far as it is right to keep the same, viz: North twenty-five and three-fourth degrees east twelve perches; thence north thirty-five degrees east sixty-two perches; thence north twenty-five and three-fourth degrees east twelve perches; thence north forty and one-half degrees east thirteen and one-half perches; thence north sixty-one and one-half degrees east forty-two and one-half perches; thence north thirty-one and three-fourth degrees east eighty-eight and one-half perches to a point near a sugar tree; thence by the best and easiest grade, making and erecting anywhere along the line of said proposed road where made necessary, any bridge or bridges, to the street running from Ewalt street bridge, (now erected across the Allegheny river,) north and along the line of property of Graff, Bennett and Company; said road being about one mile in length; said viewers being authorized to make such changes in the courses and distances above named as they may deem best for the advantage and convenience of the public.

Authority to open Lowrie street.

Courses and distances.

Viewers may change courses and distances.

SECTION 2. That the court of quarter sessions of said county shall, upon a petition of a majority of the property owners along such proposed road, appoint three viewers, whose duty

Quarter sessions court shall appoint three viewers.

Duties. it shall be to locate the same and assess the whole cost of locating and opening thereof, including surveying costs and costs of viewers and commissioners, which assessments shall be made upon the property benefited thereby, so far as the same is situated in Reserve township, Millvale borough and along the line of said road; the said assessments to be regulated and made payable in accordance with the terms of an

Assessments. act, entitled "An Act relative to streets in the city of Allegheny," approved April first, Anno Domini one thousand eight hundred and seventy.

Commissioners. SECTION 3. That the court of quarter sessions aforesaid shall appoint three commissioners, whose duty it shall be to contract for the opening, grading and bridging of said road, and

Compensation. who shall receive the sum of three dollars per day for all time spent in attending to their duty as aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 847.

A Supplement

To an act authorizing the borough council of the borough of Bethlehem, Pennsylvania, to purchase the water works, real estate and improvements of the Bethlehem Water Company; also to make all such necessary improvements and extensions required, to borrow money and appoint water commissioners to carry out said object, approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six, to authorize the election of water commissioners, to borrow money and collect the water rents.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, that it is hereby enacted by the authority of the same,* That the borough council of the borough of Bethlehem shall elect three water commissioners, citizens of said borough, whether members of the council or not, as provided by the act approved the thirtieth day of March, Anno Domini one thousand eight hundred and sixty-six, to which this is a supplement.

Council shall elect three water commissioners.

May borrow \$100,000 to erect water works.

SECTION 2. That said council of the borough of Bethlehem are authorized to borrow the sum of one hundred thousand dollars, for the purpose of erecting or purchasing water works

for said borough, and issue bonds therefor, in sums not less than fifty dollars, bearing interest at the rate of seven per cent. per annum, with or without coupons attached, payable semi-annually.

SECTION 3. That all taxes and water rents assessed and levied upon real estate, in pursuance of the several acts, laws and ordinances of said borough, shall be a lien upon such real estate from the time of such assessment and levy. Taxes and water rents to be liens.

SECTION 4. That the annual assessment of water rents shall be completed on or before the first day of June, in each and every year; and upon the duplicates of borough taxes and water rents having been made, as directed by the council of said borough, the same shall be placed in the possession of the borough treasurer, who shall receive and collect the said taxes and water rents forthwith; and after the first day of October, in each and every year, the additional sum of five per centum shall be added to all the taxes then remaining unpaid in the duplicate; after which time, the duplicates, together with the addition heretofore provided, shall be placed in the hands of one or more collectors, to be appointed by the said council, who shall proceed to collect the same, until the first day of January following, as taxes are now collected by law. Annual assessment of water rents.
Penalty for non-payment.

SECTION 5. That all laws or parts of laws inconsistent herewith be and the same are hereby repealed. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 848.

A Supplement

To an act to incorporate the Brown Hollow Turnpike Road Company, approved March sixteenth, Anno Domini one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Brown Hollow Turnpike Road Company are hereby authorized and empowered to increase the rate of tolls on said turnpike road from two cents, the

rate now authorized by law, to three cents per mile ; all acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 849.

An Act

To incorporate the Modern Life Insurance and Improvement Trust Company of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That William Velte, Charles L. Keally, William Peebles, Robert C. Fulton, John H. Miller and William B. Starritt, or any three of them, be and they are hereby authorized and empowered to receive subscriptions to the capital stock of a company, to be denominated the Modern Life Insurance and Improvement Trust Company of Pittsburg, and shall give notice in any newspaper published in the city of Pittsburg, at least ten days previous, of the time and place where books for receiving said subscriptions for the stock of said company will be opened; and the subscribers thereto, at said time and place, shall hold an election for a president and nine directors of said company, who shall constitute a board of directors of said company, to serve as such until the next annual election; which election shall be held on the second Wednesday in January, Anno Domini one thousand eight hundred and seventy-one, and annually thereafter on the second Wednesday in January.

Name.

Notice.

Election of president and directors.

Capital.

SECTION 2. That the capital stock of this company shall consist of one thousand shares, of the par value of one hundred dollars each, with the privilege of increasing the same to an amount not exceeding five thousand shares, of a par value of one hundred dollars each.

When letters patent may issue.

SECTION 3. That when five hundred shares have been subscribed, and not less than five dollars per share have been paid in cash, the president shall certify to the governor, under his hand and seal, the names of all the subscribers to said stock, the number of shares subscribed by them and the amount paid in by them respectively; and the governor shall

thereupon, under his hand and seal, and the seal of the state, by letters patent, enact and create the said subscribers, and those who are or may hereafter become associated with them by virtue of this act, into a body politic and corporate, in deed and in law, under the name, style and title of the Modern Life Insurance and Improvement Trust Company of Pittsburg, with all the rights and privileges, and subjected to all the provisions and restrictions set forth in an act, entitled "An Act to incorporate the United Security Life Insurance and Trust Company of Pittsburg," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight: *Provided however*, That nothing therein contained shall conflict with, alter or annul the provisions of this act: *And provided*, That all notices and publications of meetings shall be made by this company in the city of Pittsburg: *And provided*, That section fifth of the act to incorporate the said United Security Life Insurance and Trust Company shall not apply to this act to incorporate the said Modern Life Insurance and Improvement Trust Company.

Name.

Subject to.

Proviso.

Further proviso

SECTION 4. The principal office of this company shall be located in the city of Pittsburg.

Principal office.

SECTION 5. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such tax on dividends as are now or may hereafter be required by law.

Bonus and taxes

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 850.

An Act

To authorize the executors of Doctor Reuben E. Briener to remove the burial vault belonging to his estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the executors of the last will and testament of Doctor Reuben E. Briener, late of the borough of Greenville, Mercer county, deceased, are hereby authorized and empowered to remove the burial vault of the said deceased from its present

location, to the cemetery at or near the borough of Greenville, and erect the same in said cemetery; and that the said executors are hereby empowered to pay the expense of the same out of the said estate, and be allowed a credit for the same in their account of said estate.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 851.

An Act

To incorporate the West Pittsburg Inclined Plane Company.

Corporators.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That A. E. W. Painter, James Noble, David Robinson, W. K. Nimick, J. W. Ballantine, S. P. Ross, W. E. Brandon, George K. Gamble, P. C. Sawyer and R. S. Hemiup, and their associates and successors, are hereby created a body corporate, by the name, style and title of the West Pittsburg Inclined Plane Company, and by that name shall have perpetual succession, and all the rights, powers and privileges incident to a corporation.
Name.	
Powers and privileges.	
Capital.	SECTION 2. The capital stock of said company shall consist of twenty-five thousand dollars, to be divided into five hundred shares, of fifty dollars each, and letters patent shall be issued whenever ten thousand dollars is subscribed and ten per centum thereon paid.
When letters patent may issue.	
May construct and operate inclined plane.	SECTION 3. The said company shall have power to construct and operate an inclined plane from Carson street, in the borough of West Pittsburg, at western line of Painter's property, to a point at or near the mouth of Shalem street, in Union borough, on the brow of Coal hill, in the county of Allegheny; and the said company shall have power to run cars, carry passengers and freight on said plane, and shall have the right to take and charge, for each passenger carried, six cents, and for all freight exceeding twenty pounds, and not over one hundred pounds, five cents, and for every additional one hundred pounds or fractional part thereof, five cents.
Location.	
Rates of travel and freight.	
Officers.	SECTION 4. The officers of the said company shall consist

of president, secretary and treasurer, and a board of seven directors, to be chosen annually by a vote of the stockholders; and the board of directors, so chosen, shall have power to fill all vacancies that may arise during the year.

Annual elections.

SECTION 5. The said company shall have power to, and the right to purchase, hold and improve, lease and convey, under its corporate seal, such real estate, not exceeding in value at any one time fifty thousand dollars, as may be necessary for the proper use and convenience of the company.

May hold, improve and convey real estate.

SECTION 6. The said company shall have power to borrow money to the amount of the stock subscribed, and to issue bonds or mortgages upon its real estate, machinery, rolling stock and franchises, for the purpose of securing the same, and may on a vote of the stockholders, at a meeting called for that purpose, increase the capital stock to any sum not exceeding fifty thousand dollars.

May borrow money and issue bonds.

SECTION 7. The said company shall be subject to all the restrictions and liabilities, and have all the powers and privileges as in locating, constructing and operating the said inclined plane, as are contained in the act regulating railroad companies, approved the nineteenth day of April, Anno Domini eighteen hundred and forty-nine, and the several supplements thereto.

Subject to general railroad laws.

SECTION 8. That all acts or parts of acts inconsistent with this act, be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 852.

An Act

Supplementary to an act, entitled "An Act to incorporate the Lebanon Mutual Fire Insurance Company of Jonestown, Pennsylvania," approved April twenty-first, one thousand eight hundred and fifty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the first day of July, Anno Domini one thousand eight hundred and seventy-one, the capital stock of the Lebanon Mutual Fire Insurance Company shall be fifty

Capital stock.

Increase. thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, to be paid as prescribed in section third of an act to provide for the incorporation of insurance companies, approved the second day of April, one thousand eight hundred and fifty-six.

Interest on stock. SECTION 2. The stockholders shall receive only legal interest for the amount of stock held, and must devote the entire net profits to the payment of losses and other necessary expenses of the company.

Reserve fund. SECTION 3. The company shall at no time have less than fifteen thousand dollars of a cash reserve fund on hand.

Twelve directors to be elected annually. SECTION 4. Twelve directors shall annually be elected by the stockholders, as prescribed in section fifth of an act to provide for the incorporation of insurance companies, approved the second day of April, one thousand eight hundred and fifty-six.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 853.

An Act

To allow certain owners of land in Indiana township, Allegheny county, to apply the road taxes assessed against them towards keeping the Sharpsburg and Kittanning turnpike road in repair.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the owners of land abutting on and situated within one-half mile of the Sharpsburg and Kittanning turnpike, in the township of Indiana, be allowed to apply the road taxes which may be hereafter assessed against them towards keeping said turnpike in repair.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 854.

An Act

Entitled "An Act to authorize the town council of the borough of Alba, in Bradford county, to levy a road tax."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the town council of the borough of Alba, in the county of Bradford, are hereby authorized and empowered to levy a road tax in said borough, not exceeding one per centum on a dollar of the assessed valuation for county purposes, as now is or may be provided by law in any one year.

Town council may levy road tax.

SECTION 2. It shall be the duty of the town council of said borough to levy said road tax on all property, trades and professions that are now taxable for borough purposes, on or before the twentieth day of April in each and every year after the passage of this act, (including the present year,) and make out a duplicate containing the name of each person or company taxed, set opposite their names, and deliver the same to commissioners of roads in said borough before the first day in May of each year, who shall proceed to call out said taxable to work on said roads and bridges during the months of May and June in every year; and if said taxes shall remain unpaid until the first of July in any year, the Burgess shall issue his warrant, under his hand and seal, for the collection of such balance or balances of taxes unpaid to said commissioner, (if he will accept it,) and if he will not, then to some suitable person of said borough to collect the same, who shall have the power to proceed to collect said tax in said borough, as the collector of county rates by law now have for collecting county rates and levies.

Duty of council.

Duty of commissioners of roads.

Collection of unpaid taxes.

SECTION 3. And said moneys, when collected, shall be paid over to the treasurer of said borough; and said money shall be kept separate by said treasurer, and used only for the purpose of making and repairing roads and bridges in said borough.

Moneys to be paid over to treasurer.

To be kept separate.

SECTION 4. In every case where any tax is under the price of a day's work, the town council shall raise said tax to the amount or price of a day's work.

Tax not to be less than one day's work.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 855.

An Act

To authorize the supervisors of Upper Nazareth township, Northampton county, to tax certain property for township purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of the township of Upper Nazareth, in the county of Northampton, shall have power to assess, for road purposes, the landed property of the county of Northampton, situate in the said township of Upper Nazareth, and that it shall be the duty of the directors of the poor and house of employment of the county of Northampton, to pay to the said supervisors the tax which may be assessed as aforesaid in each year: *Provided,* That said property shall be assessed and valued at the same rate as adjoining lands in said township; and the said directors shall have the privilege to work out their road taxes, as other tax-payers in said township now do.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 856.

An Act

To authorize the school directors of the West Nicholson independent school district of Nicholson township, in the county of Wyoming, to levy an additional tax, and to borrow money for building purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors, and their successor, of the West Nicholson independent school district of Nicholson township, Wyoming county, in order to pay the debt incurred in building school house in said district, are hereby authorized to levy any amount of tax not exceeding five per centum on the val-

uation in any one year, until the expense of building said school house shall be paid; and the said school directors are hereby authorized to borrow any amount of money, not exceeding fifteen hundred dollars, for building purposes, and issue therefor their bonds, bearing interest not exceeding eight per centum per annum: *Provided*, That no bond shall be issued by said directors for the payment of sums of a less denomination than one hundred dollars, and that the same shall be exempt from taxation except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 857.

An Act

Relative to the assessment and collection of taxes on unseated lands in Barclay township, Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the present township officers of the township of Barclay, in the county of Bradford, to make out and sign the proper papers and vouchers for the assessment and the levying of the taxes on unseated lands in the said township of Barclay, in all cases where the same has been neglected or omitted to be done within the last five years, and transmit the same to the commissioners of said county of Bradford; and the said county commissioners, on receipt of the same, shall proceed to assess, levy and collect all such taxes in the same manner and with like effect as if the same had been done at the proper time.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 858.

An Act

For the protection of side-walks and shade trees in the township of Spring, in the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act any person who shall ride, drive or lead any horse, mare or gelding, mule or oxen on any side-walk, made for the accommodation of foot passengers, or injure, deface or destroy any shade trees in the township of Spring, in the county of Crawford, shall forfeit and pay the sum of five dollars for every such offence, which penalty shall go to the school fund of the said township; the said penalty may be recovered in an action of debt, in the name of said township, before any justice of the peace in said county, by any person who shall sue for the same.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini on thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 859.

An Act

In reference to private roads in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That except as herein provided, the provisions of the act of assembly, approved June thirteenth, Anno Domini one thousand eight hundred and thirty-six, entitled "An Act relating to roads, highways and bridges," and the several supplements thereto, be and they are hereby extended to all cases where any owner of a cultivated field of land shall have no access thereto from his own land, or from a public or private road, without crossing land of another owner.

Provisions of certain acts, extended.

SECTION 2. That the jury of view appointed for that purpose, shall have the power to select and report the nearest and best route from said field to other land of the petitioner, or to a public or private way, as he may elect, doing as little damage to the owner of intervening land as possible, and may report whether or not the said private road should be fenced, or from the nature of the use required by the petitioner, whether or not the same may be used safely by erecting gates upon the said private way, where it shall cross fences of the owner or owners of the land through which it shall be laid out, and upon the road to which said way shall come if so laid out.

Jury of view to select nearest and best route.

Fences and gates, relative to

SECTION 3. The said jury of view shall assess damages as provided by law, and the road shall be opened, kept in repair and fenced, if so ordered, as by law now provided.

Damages.

SECTION 4. This act shall apply only to the county of Northampton.

Applies to Northampton county only.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 860.

An Act

To alter the road laws in the township of Dimock, Susquehanna county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the supplement to an act, entitled "An Act to alter the road laws in the township of Lenox," approved March third, one thousand eight hundred and forty-seven, which supplement was approved the twentieth day of February, one thousand eight hundred and fifty-four, be and the same are hereby extended to the township of Dimock, Susquehanna county.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 861.

An Act

To extend the provisions of an act to punish the buying or receiving of scrap iron, et cetera, in Allegheny and Schuylkill counties, to Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly of this commonwealth, entitled "An Act to punish the buying or receiving of scrap iron, brass or other metals from minors or unknown and irresponsible parties in Allegheny and Schuylkill counties," approved the eleventh day of April, Anno Domini one thousand eight hundred and sixty-six, be and the same are hereby extended to Lehigh county: *Provided,* That the provisions of said act shall not, within the county of Lehigh, apply to the receipt or purchase of any of said articles from a minor or other person having a legal right to sell the same.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 862.

A Supplement

To an act to authorize the borough of Shamokin, in the county of Northumberland, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Shamokin, in the county of Northumberland, are hereby authorized and empowered to borrow, in the name and on the faith and credit of said borough, in addition to the several sums authorized by the provisions of the act of assembly of May ninth, one thousand eight hundred and seventy, to which this

s a supplement, for the year one thousand eight hundred and seventy-one, such sum or sums of money as they may deem expedient, not exceeding ten thousand dollars on the aggregate, and to issue bonds of indebtedness therefor under the proper seal of said borough, attested by the chief burgess and secretary of the town council, in sums not less than one hundred dollars each, payable at such time as the said town council shall determine, not exceeding twelve years from the date of issue, at a rate of interest not exceeding seven per centum per annum, which interest shall be paid annually to the bondholders: *Provided*, That such money, when borrowed, shall be applied to paying off the present indebtedness of the borough of Shamokin, to making borough improvements, in repairing, improving and draining the streets and highways of the same, and to the defraying of such expenses as the said chief burgess and town council, or a majority of them, may from time to time deem it necessary to incur for the proper government of the said borough, and the faithful execution of the various powers and duties vested in them by the laws of this commonwealth and the charter of the said borough of Shamokin.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 863.

An Act

To enable the district attorney of Erie county to appoint an assistant.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the district attorney of Erie county is hereby authorized and empowered, by and with the approval of the court of quarter sessions of said county, to appoint, from term to term, a suitable person to act as assistant district attorney; and the said assistant district attorney, so appointed, is hereby authorized and empowered to perform all of the duties appertaining to the office of district attorney of said county: *Provided*, That the said assistant district attorney's official acts shall be at all times under the direction and control of the district attorney, and he shall perform such duties as the regular district attorney may from time to time designate.

District attorney may appoint assistant, with approval of court.

Duties.

Proviso.

Compensation,
relative to.

SECTION 2. That for the purpose of compensating said assistant district attorney for his services, it shall be lawful for the district attorney to draw an order upon the county commissioners of said county for a sum not exceeding thirty (\$30) dollars for each week of quarter sessions court held in said county, which said order shall be approved by the said court, and shall be good and sufficient voucher for the money so paid.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 864.

An Act

Authorizing the appointment of auctioneers for the city of Reading, in the county of Berks, Pennsylvania.

Qualifications
and require-
ments of auc-
tioneers for the
city of Reading.

Bond.

Appointment
and privileges
of auctioneer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That when any citizen of this state, who shall have resided in the city of Reading for one year, and shall have paid into the treasury of the commonwealth the sum of two hundred dollars, and filed in the office of the secretary of the commonwealth his bond, in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of an auctioneer, and for the payment of all duties and taxes which may become due to the state in consequence of his exercising the trade, occupation of an auctioneer, with two or more sufficient sureties, to be approved by the judges, or any two of them, which approval, together with the fact that the applicant is a citizen of the city of Reading, and resident of the same, shall be certified by the said judges on the bond to be transmitted to the secretary of the commonwealth, the governor shall thereupon grant to such citizen a commission, in legal form, authorizing him to open an auction house in said city, and to make sales by auction, according to law, of all and every description of merchandise, personal property, stocks and real estate whatsoever, at his place of business, within the limits of said city, for the term of one year from the date of such commission.

SECTION 2. It shall not be lawful for any person or persons

to make sales by auction or by public outcry, in the city of Reading, of merchandise, personal property, stocks and real estate of any description, except it be by a duly commissioned auctioneer of said city: *Provided*, That this act shall not be construed so as to interfere with such sales as are authorized by the courts of said county, or in consequence of any legal proceeding whatsoever of personal property sold in consequence of the owners removing from said city or quitting house-keeping.

All other persons prohibited from selling by auction.
 Proviso.

SECTION 3. Any person or persons found guilty of violating the second section of this act shall be deemed guilty of a misdemeanor, and upon the conviction thereof in the court of quarter session of said county, be sentenced to pay a fine of one hundred dollars, one-half to go to the informer and the other half to the use of the said county; and for the second offence the fine shall be two hundred dollars and imprisonment, not exceeding thirty days, both or either, at the discretion of the court.

Penalty for violating second section.

SECTION 4. Auctioneers commissioned under this act shall be at liberty to contract with persons consigning their property for sale, for such compensation as may be agreed upon by the contracting parties: *Provided however*, That this act shall be so construed as to mean consignments of goods from merchants and parties residing within the county of Berks: *And provided further*, That the said merchants or parties so contracting are not at the time commission merchants.

May contract for compensation for sale of goods consigned
 Proviso.

SECTION 5. Every auctioneer commissioned in pursuance of this act shall enjoy the same privileges and be subject to the same conditions, rules, regulations and restrictions, in every respect, under like circumstances, as are imposed and allowed by on the auctioneers of the cities of Philadelphia, Pittsburg and Lancaster, except in so far as the same may be inconsistent with the provisions of this act.

Subject to.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 865.

An Act

To incorporate the Gibson Co-operative Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That O. Lathrop, T. W. Tingley, D. L. Hine, Seth Abel, E. V. Decker, D. E. Whitney, E. Shepherdson, and such other persons as shall be associated with them, be and they are hereby created and constituted a body politic and corporate,
Name. Powers and privileges.	by the name, style and title of the Gibson Co-operative Association, and by the said name they and their successors shall have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts in this commonwealth, or elsewhere, and also of contracting and being contracted with relative to the business and objects of said corporation as hereinafter declared, and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to purchase, rent or lease such real estate as may be necessary for the purpose of carrying on the business of the association, and in their corporate name to make and execute deeds of conveyance and other instruments of writing necessary in the transactions of the association.
Seal.	
May hold real estate.	
Capital.	SECTION 2. The capital stock of the said association shall not exceed eight thousand dollars, which capital shall be divided into shares of twenty-five dollars each: <i>Provided</i> , That shareholders may at any time, by a two-thirds vote, increase the amount of the capital stock on the payment to the treasury of the commonwealth one-half of one per centum on such increase.
Increase.	
Officers.	SECTION 3. That the officers of said corporation shall be such as said corporators may think necessary, and shall be elected by ballot at such such times and in such manner as the rules and by-laws of the corporation may direct.
By-laws.	SECTION 4. That the members of the corporation shall have full power and authority to make such rules or by-laws as shall be necessary for the government and protection of the interests of said corporation: <i>Provided</i> , That no such rules or by-laws shall be valid if inconsistent with this act or the constitution and laws of this state or of the United States.
Proviso.	
Object.	SECTION 5. That the object of this corporation shall be the establishment of one or more stores, to be located in Gibson, in Susquehanna county, or elsewhere, for the purpose of carrying on the business of general dealers in merchandise, including all articles and materials of use or necessity, for the common and mutual benefit of the members and of those who purchase at said stores, and to receive and sell goods on commission and by wholesale and retail.
Bonus and taxes	SECTION 6. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized, or hereafter created, in four equal annual instalments, and such taxes or dividends as is or may be provided by law.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 866.

An Act

To authorize the school directors of Union township, in the county of Allegheny, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Union township, Allegheny county, be and that they are hereby authorized and empowered to borrow, upon the credit of said township, for the purpose of erecting a new school house, any sum of money not to exceed ten thousand dollars, and issue therefor bonds for a period of time not longer than ten years, and bearing interest not exceeding eight per centum per annum: *Provided,* That no bonds shall be issued of less denomination than one hundred dollars, and that the same shall be exempt from taxation except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 867.

An Act

Restricting the assessment of certain taxes in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the county commissioners of Montgomery county shall be authorized to impose a county tax of fifty cents upon each hundred dollars of the adjusted valuation of property taxable for such purposes, and not to exceed that rate.

Commissioners
restricted in im-
posing a county
tax.

SECTION 2. It shall be lawful for the commissioners of the said county of Montgomery to increase the rate per cent. for

May increase
the rate per
cent.

the present year, in conformity with this act, notwithstanding any action they may have already taken under existing laws.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 868.

A Supplement

To an act, entitled "An Act to incorporate the city of Oil City, and to provide for the separate payment of the debt of the borough of Oil City," approved the first day of March, eighteen hundred and seventy-one, describing more accurately the city limits.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That wherever the words Moran farm occur in the act to which this is a supplement, approved as aforesaid, the first day of March, eighteen hundred and seventy-one, the same shall be considered, understood and intended to be the D. O. Moran farm.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 869.

An Act

To vacate an alley in the borough of Greenville, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That a certain alley lying between lots numbered one hundred and forty-three (143) and one hundred and forty-four, (144,) in Beans' addition to the borough of Greenville, in Mercer county, be and the same is hereby vacated, and the title to said alley is hereby declared to revert and to become vested in the owner of the adjacent lots.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 870.

An Act

To extend to West-town township, Chester county, certain provisions of an act granting certain powers and authorities to the cities of Lancaster and Philadelphia, approved the sixteenth day of April, Anno Domini one thousand eight hundred and thirty-eight, and to legalize the acts of the supervisors of the said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the nineteenth, twentieth, twenty-first and twenty-second sections of said act be and the same are hereby extended to the township of West-town, in the county of Chester.

Certain sections of act of April 16, 1838, extended to West-town township.

SECTION 2. That all the acts and contracts of the supervisors of said township of West-town are declared good and valid, the same as if the above sections of said act had been adopted at the time such acts and contracts were entered into by said supervisors.

Acts and contracts of supervisors, legalized

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 871.

A Further Supplement

To an act, entitled "A further supplement (approved the sixth day of April, Anno Domini one thousand eight hundred and seventy) to a supplement (approved the tenth day of March, Anno Domini one thousand eight hundred and sixty-seven) to an act empowering the Lutheran congregation of the Old Goshenhoppen church, in Upper Salford township, in Montgomery county, to collect their outstanding debts," approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and thirty-nine.

Preamble.

WHEREAS, Nathan De Turk, who was appointed and constituted one of the trustees of the Moravian School Association in the act to which this is a supplement, refuses to accept such trust :

And whereas, Said act has made no provisions to fill vacancies ; therefore,

New trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Daniel Reiff, Daniel Wiest and Jacob Hoch, or a majority of them, are hereby authorized to exercise the same powers which Nathan De Turk, Daniel Wiest and Jacob Hoch were authorized and required to perform in the act of the sixth day of April, Anno Domini one thousand eight hundred and seventy, to which this is a supplement.

Powers.

Vacancy.

SECTION 2. In case any vacancy should happen by death, resignation or otherwise, before said trust is performed, the court of common pleas of Berks county is hereby authorized and empowered to fill such vacancy upon application made by any person interested : *Provided*, That this act shall not go into effect until approved by a majority of the legal voters of Oley township, in the county of Berks, at the general election on the second Tuesday of October next, on which day the election officers of said township shall receive ballots for or against the approval, and declare the result.

Not to take effect until approved by majority of voters of Oley township.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 872.

A Supplement

To an act, entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," passed the twenty-third day of February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the third section of an act, entitled "An Act to authorize the courts of Bradford county to hold additional sessions in the borough of Troy, in said county," approved on the twenty-third day of February, in the year eighteen hundred and seventy, as provides that no cause, suit, proceeding or matter which, by the provisions of said act, are covered by the jurisdiction of said several courts, to be held at said borough of Troy, shall be tried, heard or determined at any term of said courts, except such as shall be held at said borough of Troy, except by the consent of all parties thereto, be and the same is hereby repealed. Portion of third section of former act, repealed.

SECTION 2. That all such causes, suits, proceedings and matters which, by the provisions of the said act, are covered by the jurisdiction of the said several courts, held at the borough of Troy, and have been heretofore done, transacted, tried, adjudged or decreed at any term of the said courts in said county, are hereby legalized and made valid, anything contained in the said act to the contrary notwithstanding. Suits heretofore tried at Troy, legalized.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 873.

An Act

To incorporate the Starrucca and Hancock Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That Christopher P. Tallman, George C. Reynold, Robert B. Case, Edwin E. Tallman and Adolphus D. Campbell, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company, by the name, style and title of the Starrucea and Hancock Turnpike Road Company, with power to locate and construct a turnpike road from the Starrucea station, on the Jefferson railroad, via Tallmansville, to the line of the state of New York, at the Hancock suspension bridge, on the site of any public road or roads or otherwise, as the company may direct, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided however*, That when the company hereby incorporated shall have finished one mile or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and a gate or gates may be erected, and tolls collected for travel on such portions of the road as are completed.

Capital. SECTION 2. That the capital stock of the company shall be fifteen thousand dollars, divided into shares of twenty dollars each.

May issue bonds if stock is insufficient. SECTION 3. That in case of a deficiency of stock to complete said road or keep it in repair, the stockholders of said company, at a meeting called for that purpose, may authorize the president and directors to issue bonds in such sums, at such times, and for such rate of interest as they shall deem best, to any amount not exceeding twenty thousand dollars, secured by a mortgage upon all or any of the property, rights and franchises of the corporation.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 874.

A Further Supplement

To an act approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-one, relative to incorporating the Germantown Water Company.

WHEREAS, The city of Philadelphia having continued to use the works of the Germantown Water Company under a

lease, from year to year, from the time of the purchase by said city of the franchises of the said company, and requiring the further use of said works, the Germantown Water Company have been unable to dispose of the same, and close up their affairs within the period limited by the act of the general assembly, approved the eighth day of February, Anno Domini one thousand eight hundred and sixty six; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rights and powers of the Germantown Water Company, necessary and proper for selling and disposing of the remaining property of said company, and winding up its affairs, be and the same are hereby extended for a further period of five years, from the time limited in said last mentioned act of assembly.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 875.

A Supplement

To an act, entitled "An Act relative to the creation of police district in Robinson township, county of Allegheny, approved April fifth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of said township be and they are hereby authorized and required to levy and collect, at their next annual assessment, from the taxable inhabitants of the first election precinct of said township, and annually thereafter, a sufficient tax to pay for the erection of the lock-up house mentioned in the second section of the act to which this is a supplement, and a further tax sufficient to pay the police officers provided by the said second section of the act to which this is a supplement, a salary of two hundred and forty dollars per annum, from the time of their appointment and service, in addition to the fees now allowed by law to the constables of said township, and pay out the said moneys according to the provisions of the third section of the act to

School directors may levy tax to erect lock-up house.

Salary of police

Proviso.

which this is a supplement: *Provided*, That the said lock-up house shall not cost more than five hundred dollars.

Fines collected to be used for payment of salaries.

SECTION 2. That the justice or justices of the peace resident and having an office in said precinct of said township, are hereby authorized and required to pay over to said officers, all fines collected under the provisions of the fourth section of the act to which this is a supplement, in payment or part payment of the salaries aforesaid of such officers.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 876.

An Act

In relation to bonds of indemnity in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter all bonds given to the sheriff of Allegheny county, in his official capacity, as indemnity for executing writs of replevin, foreign attachments and all other bonds of indemnity, shall be justified before the prothonotary of the proper court, and when the prothonotary shall certify said justification to the sheriff, shall become the property of the successful party in the original suit, without recourse to the sheriff who may have executed said process or received said bond as indemnity.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 877.

A Supplement

To an act relative to the draining of wet or spouty lands in certain counties, approved the fourth day of April, one thousand eight hundred and sixty-three, extending the same to the counties of Warren and Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act relative to the draining of wet or spouty lands in certain counties, approved the fourth day of April, one thousand eight hundred and sixty-three, be and the same are hereby extended to the counties of Warren and Mercer; and shall also extend to the draining of coal mines, ore banks and stone quarries in the said county of Mercer.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 878.

An Act

To authorize Andrew J. Beachell to erect and maintain a dam in Middle creek, Snyder county, and to riprap and improve the banks of said creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Andrew J. Beachell, his heirs and assigns, be and is hereby authorized to erect and maintain a dam in Middle creek, Snyder county, at the site where his stone dam is now built, and for that purpose shall have power and authority to abut his dam on the lands of the adjoining owners at the location aforesaid, and to build the said dam to a height sufficient to properly run his grist-mill, saw-mill and other machinery: *Provided,* That the water shall not be raised more than two and a-half feet above ordinary low water mark.

Andrew J. Beachell authorized to abut his dam on adjoining lands.

May riprap and improve banks to first public road.

SECTION 2. That the said Andrew J. Beachell, his heirs and assigns, is hereby authorized to riprap or raise and improve the banks of said stream, from the location of the dam aforesaid, to the first public road crossing said stream above said dam, so as to keep and confine the water of said creek within its original channel, and for this purpose is hereby authorized to enter upon the lands of the riparian owners, and to deposit dirt, stone, timber, and whatever material may be deemed necessary to riprap, raise and improve the banks of said creek aforesaid.

May enter upon lands.

Damages.

SECTION 3. The damages, if any, under this act, shall be assessed in the same manner as is now provided in the act of nineteenth of February, one thousand eight hundred and forty-nine, in the case of railroad companies, except that the number of viewers shall be three instead seven.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 879.

An Act

To incorporate the Hamlington and Moscow Turnpike Road Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That F. B. Moss, H. L. Gaige, Alanson Hinds, W. F. Clements, John Evans, Isaac Swartz, Irwin Joes, John Wilcox, A. L. Gregory, C. M. West, S. Walker, N. L. Walker, Oliver Wilcox, George Clearwater, B. Hamlin, A. L. Clearwater, S. W. Keene, W. W. Wykoff, H. Ackerley, Charles Swartz, J. Byron Mott, or any five of them, are hereby appointed commissioners, to open books, receive subscriptions and organize a company, by the name, style and title of the Hamlington and Moscow Turnpike Road Company, with power to locate and construct a turnpike road from Hamlington, in Wayne county, to Moscow station, on the line of the Delaware, Lackawanna and Western railroad, in Luzerne county, on the site of any public road or roads, or by any route between said points that may be deemed advisable, and to extend said turnpike road so as to connect with any other turnpike road that is now constructed, or that may hereafter be constructed, within five

Name.

Authority to construct turnpike road.

Location.

May connect with other roads

miles of the said Hamlington and Moscow turnpike road, subject to all the provisions and restrictions of an act regulating turnpike and plank road company, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto: *Provided however*, That when the company hereby incorporated shall have finished one mile or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of said act of the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of the company shall be ten thousand dollars, divided into shares of twenty-five dollars each: *Provided*, That the company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital so much as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 880.

An Act

To authorize the city of Corry, in the county of Erie, to issue bonds and fund the indebtedness of said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the common council of said city be and it hereby is authorized, empowered and directed to issue bonds of said city to the amount of sixty thousand dollars, to be signed by the mayor, city clerk and treasurer, and attested by the seal of said city, and running ten years from the date thereof, and bearing eight per cent. semi-annual interest; such bonds to be free from state and local taxation; and that the council of said city be and it hereby is authorized and directed to levy, assess and collect, not to exceed three-fourths of one per cent. per annum upon the assessed valuation of all the taxable trades, occupations and property, real and personal, in said city, and that the money so levied and assessed, when col-

Subject to.

Notice to gov-
ernor.

Capital.

Increase.

Councils may
issue bonds to
the amount of
\$60,000.

Exempt from
taxation.

May levy and
collect taxes.

To constitute a fund for payment of bonds and interest.

lected, shall be put into the treasury of said city, and shall constitute a fund for the payment of the interest accruing on such of said bonds as may from time to time be issued, and for the payment of the principal of said bonds at the maturity thereof; and that the fund arising from such levy and assessment shall be applied to no other or different purposes whatever, and that the surplus from time to time shall be invested in interest bearing United States bonds.

City may sell bonds to pay indebtedness.

SECTION 2. That said city be and it hereby is authorized and directed to sell from time to time so many of said bonds as may be necessary to pay off, satisfy and discharge the indebtedness of said city, due or to become due within five years from the date hereof; and that such bonds and the proceeds and avails thereof, shall be used for no other or different purpose whatever.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 881.

An Act

To authorize the trustees of the First Reformed church of the borough of Catasauqua to mortgage real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Wert, John Funk, Gideon Stout, or their successors in office, trustees of the First Reformed church of the borough of Catasauqua, in the county of Lehigh, are hereby authorized and empowered to execute a mortgage to Joseph Laubach, on the lot of ground and church building owned by said congregation, for the money advanced by said Joseph Laubach to said congregation in the purchase of said lot, and in the erection and completion of said church building, with interest at the rate of six per centum per annum, and payable semi-annually.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 882.

An Act

To authorize the school directors of the city of Franklin, Venango county, to borrow money

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the city of Franklin, in the county of Venango, be and they are hereby authorized to borrow any sum of money not exceeding forty thousand dollars, at any rate of interest not exceeding six per centum per annum, and to issue coupon bonds for all moneys borrowed by them under the provisions of this act; which bonds shall be exempt from taxation except for state purposes; the money borrowed by said directors to be expended in funding the present debt of said school district.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 883.

An Act

Appointing commissioners to view and lay out a public road in the counties of Monroe and Pike.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Oney, of the county of Pike, and John A. Dunning and Samuel Postens, of the county of Monroe, are hereby appointed commissioners to view and law out a public road from a point in front of Loring Andrews's blacksmith shop, in the village of Oakland, in the county of Monroe; thence by the nearest and best route to a point in the public road near the barn of Nathan Haucks, in the township of Green, in the county of Pike, and make report of their pro-

Commissioners
to lay out public
road.

Location.

To make report.

ceedings within six months from the passage of this act, to the courts of quarter sessions of the counties of Monroe and Pike.

Powers and duties.

SECTION 2. The powers and duties of said commissioners shall be the same as those now conferred by law upon viewers appointed by the courts to view and lay out public roads.

When report is confirmed, court shall order supervisors to open road.

SECTION 3. When the reports of said commissioners shall have been confirmed absolutely by each of said courts, orders to open said road shall issue from each court, to the supervisors of the townships in each county through which the said road shall pass, in the same manner and to the same effect as is now provided by law in case of the opening of new roads wholly within either county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 884.

An Act

To extend to the township of Birmingham, in the county of Chester, the West Marlborough road law.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Act of February 12, 1859, extended to Birmingham township.

That the provisions of an act relating to the roads of the township of West Marlborough, in the county of Chester, approved the twelfth day of February, Anno Domini eighteen hundred and fifty-nine, be and the same are hereby extended to the township of Birmingham, in the county of Chester.

Acts and contracts of supervisors, legalized

SECTION 2. That all the acts and contracts of the supervisors of said township of Birmingham are declared good and valid, the same as if the above act had been extended to said township at the time said acts and contracts were entered into by said supervisors.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one

JNO. W. GEARY.

No. 885.

An Act

To incorporate the Soldiers' and Sailors' Monument Association of Ashland and vicinity.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Levi C. Leib, Daniel Christian, Alexander C. Mullin, Henry A. Moodie, J. Irvin Steel, Charles H. Barnard, Peter F. Leaman, James J. Conner, Robert Gowell, Hezekiah Holbert, John H. Yocum, Emanuel Bast, Francis B. Wingert, William S. Thomas, Martin Luther, L'Velle, and such other persons as may be associated with them, and their successors, be and they are hereby created a body politic, with the name, style and title of the Soldiers' and Sailors' Monument Association of Ashland and vicinity, with all the powers, functions and authority usually enjoyed and exercised by corporations in this commonwealth, and with authority further to contract for and erect a monument within the borough of Ashland or its vicinity, in the county of Schuylkill, in honor and in commemoration of the soldiers and sailors of the said borough of Ashland and its vicinity, who served honorably in the service of the United States during the late rebellion.

Corporators.

Name.
Powers and
privileges.Authorized to
erect monu-
ment to soldiers

SECTION 2. That the said corporation is authorized to select a plan and specifications, and to issue proposals for the erection of the monument aforesaid, and make such contract or contracts as it may deem necessary for the erection of the same.

May select plan
and make con-
tract.

SECTION 3. That the said corporation shall have power to receive subscriptions, gifts, legacies and bequests; to receive and purchase lands and materials for the objects aforesaid; to pass a constitution and by-laws, and to do every other act and thing necessary, proper and expedient to carry out and effect the said object: *Provided*, That the same shall not be inconsistent with the constitution of the United States or of this commonwealth.

May receive
subscriptions,
gifts, legacies,
&c.Constitution
and by-laws.

SECTION 4. That all moneys or things of value heretofore subscribed, collected or in any manner procured for the erection of said monument, be vested in said corporation; and the treasurer is hereby authorized to collect and receipt for all moneys or things of value belonging to said corporation, in the hands of any person or persons whatsoever, and hold the same for the purpose heretofore stated.

Moneys collect-
ed for monu-
ment, vested in
corporation.

SECTION 5. That the burgess and council of the borough of Ashland, and of any other borough in its vicinity, and the proper officers of any incorporated body within said borough of Ashland and its vicinity, are hereby authorized to subscribe and pay out of the funds of said boroughs and incorporated bodies, to the corporation hereby created, any sum or sums of money which the parties so subscribing may, in their dis-

Burgess and
council of Ash-
land and neigh-
boring towns
may subscribe.

cretion, respectively deem proper in aid of the aforementioned object.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 886.

An Act

To increase the fees of township auditors in the county of Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That hereafter the compensation of township auditors in the county of Elk shall be two dollars and fifty cents per day.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 887

An Act

To authorize the school directors of the township of Porter, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the township of Porter, in the county of Schuylkill, be and they are hereby authorized to

borrow any amount of money not exceeding four thousand dollars, payable at any time not exceeding ten years from the passage of this act, and to issue bonds therefor, at a rate of interest not exceeding eight per centum per annum, signed by the president and secretary of the said board of school directors, or by a majority of the directors of said school board, for the purpose of liquidating indebtedness already incurred in the erection of suitable school buildings in said township, and for the further purpose of erecting an additional suitable building or buildings for school purposes in said township; and said bonds, so issued as aforesaid, shall be exempt from taxation, except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 888.

An Act

To legalize the election of certain officers in the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term city officers, in the fifteenth section of the act, entitled "An Act further supplemental to the act relative to the elections of this commonwealth," approved on the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, shall be held and construed to embrace the offices of district attorney, and clerk of the mayor's court of the city of Carbondale, the associate recorders of said court, and marshal of said city; and that the election for the office of district attorney of said mayor's court, held on the second Tuesday of October, Anno Domini one thousand eight hundred and seventy, be and the same is hereby confirmed and declared legal and valid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 889.

An Act

Authorizing the English Evangelical Lutheran church of Lock Haven to issue bonds.

Trustees may
issue bonds to
amount of \$3,000

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the trustees of the English Evangelical Lutheran church of Lock Haven be and they are hereby authorized to issue bonds with coupons attached, bearing interest at the rate of six (6) per centum per annum, redeemable at the option of said trustees, and payable in five years from the date thereof, and sell and dispose of the same as the said trustees may deem advisable: *Provided,* That said bonds shall not be issued for a greater amount than three thousand dollars (\$3,000 00.)

Denominations

President and
secretary to sign

SECTION 2. That the said bonds shall be of such denominations as the said trustees may deem advisable, and before any of the same shall be issued, they shall be signed by the president and secretary of the board of trustees of said church, who are hereby authorized to act for said board of trustees in the signing of said bonds: *Provided,* That no bond shall be for a less amount than one hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 890.

An Act

Repealing so much of an act, entitled "An Act authorizing the town council of the borough of Carlisle to appoint viewers to assess damages and contributions sustained from the opening of streets and alleys," approved eleventh April, one thousand eight hundred and sixty-eight, as relates to private alleys or courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the act approved eleventh April, one thousand eight hundred and sixty-eight, authorizing the town council of the borough of Carlisle to appoint viewers to assess damages and contributions sustained from the opening of streets and alleys, as relates to private alleys and courts in said borough, be and the same is hereby repealed.

SECTION 2. That all proceedings commenced under the provisions of this act, to open or vacate any private alley or court in said borough, when the same has not been opened in pursuance thereof, are hereby declared void and of no effect.

Repeal.
Proceedings to open or vacate private alleys, void.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 891.

A Further Supplement

To an act, entitled "An Act to authorize the governor of the commonwealth to incorporate the Wilkesbarre Water Company," approved February fifteenth, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stockholders of the Wilkesbarre Water Company may increase the capital stock of the said company one hundred and forty thousand dollars, in such sums, from time to time, as may be determined by them, at any annual or special meeting called for that purpose; but in either case a public notice, of at least ten days, shall be given by the president of the said company, in one of the newspapers of Wilkesbarre, stating that the question of the increase of stock will be acted upon at such meeting; at any of such meetings the stockholders may determine as to the mode and manner of disposing of the said stock so added to the present capital; each share of full paid stock shall be entitled to a vote.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 892.

A Supplement

To an act, entitled "An Act to ascertain and appoint the fees to be received by the several officers of this commonwealth," approved April second, one thousand eight hundred and sixty-eight, extending the same to the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the eighth section of an act, entitled "An Act to ascertain and appoint the fees to be received by the several officers of this commonwealth," approved the second day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same are hereby extended to the county of Lancaster.

Act relative to fees extended to Lancaster county.

Act relative to fees of county officers extended to clerks of courts.

SECTION 2. The provisions of an act, entitled "An Act increasing the fees of the several county officers of this commonwealth, except in the city of Philadelphia, and the counties of Allegheny, Bradford, Susquehanna and Sullivan," approved Anno Domini one thousand eight hundred and sixty-five, be and the same are hereby extended to the officers of the clerks of the orphans' court and court of quarter sessions of Lancaster county for one year, from the thirtieth day of March, one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 893.

An Act

To incorporate the Crystal Lake Steamboat Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. B. Vanbergen, James Dickson, George Simpson, Ed-

Corporators.

ward Jones, William N. Monies, D. B. Brainard, Thomas Waddells, W. W. Ketcham and B. J. Woodward, and their associates and successors, are hereby created a body politic and corporate, by the name, style and title of the Crystal Lake Steamboat Company, and by that name shall have perpetual succession, and shall in law be capable of suing and being sued, pleading and being impleaded in courts of law and equity, and of contracting and being contracted with relative to the business of the corporation, and may have a common seal, and the same alter and renew at pleasure; and for the government of the affairs of said corporation, its board of directors may from time to time enact such by-laws as they for that purpose shall deem necessary, the same not being contrary to existing constitutions and laws of this state and the United States.

Name.
Powers and
privileges.

By-laws.

SECTION 2. The corporation hereby created shall have the power to build, purchase, acquire and maintain one or more pleasure steamboats, to be used and run upon the waters of Crystal lake, in the county of Luzerne, and in no other place; and the board of directors shall have the right to establish such rates for the use of said boat or boats as they may see fit.

Purpose.

SECTION 3. The capital stock of said company shall be five thousand dollars, with the right to increase the same, by a vote of the board of directors, to ten thousand dollars; said stock to be divided into shares of ten dollars each, and each share shall entitle the holder thereof, or his authorized attorney, to one vote for every share held by him in all meetings of the stockholders of said company; and said stock shall be assignable on the books of the company.

Capital.

Votes.

SECTION 4. That the stockholders shall annually, at such day and place as the by-laws shall designate, elect five directors to manage the affairs of the company, who shall serve for one year and until their successors are elected: *Provided*, That the persons above named shall be the board of directors until such time as a board shall be elected by the stockholders; and they and each succeeding board of directors shall elect a president from among their number, and also appoint and remove such other officers and agents as the interests of the company may require, and have power to fill any vacancy that may occur in their own number.

Election of
directors

Corporators to
be directors
until election.

Officers.

SECTION 5. The persons above named shall have power to open subscription books for the stock of said company, and the company may sue for and recover any instalments upon the capital stock of said company, subscribed as aforesaid, as often as any assessment is made and unpaid for over thirty days.

Corporators
may receive
subscriptions
and collect
stock.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 894.

An Act

In relation to certain roads in Union county.

Preamble.

WHEREAS, A certain public road located in the county of Union, called the Brush Valley road, running from said county of Union to the county of Centre, through the townships of West Buffalo, Lewis and Hartley, is located entirely in the mountainous portions of said townships, from a point one-half mile west of Miller's hotel, in West Buffalo township, to the Centre county line :

And whereas, A certain other mountainous road, called the Sugar Valley road, commencing in the township of White Deer, in said county, and extending through said township of White Deer and the township of Lewis, to the county of Clinton, is also located entirely in a mountainous region :

And whereas, Said roads are located at a great distance from the inhabited portions of said townships, and are generally used by the whole people of the county more than by the people of the townships aforesaid, and the expense of maintaining the same should be borne by the county ; therefore,

Certain roads declared county roads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Brush Valley road, from a point one mile west of Miller's hotel, in West Buffalo township, to the Centre county line, and that the Sugar Valley road, from a point one mile west of Forest iron works, to the Clinton county line, are hereby declared to be county roads ; and the expense of maintaining the same in repair, from and after the passage of this act, shall be paid by the said county of Union, out of the county rates and levies ; and the commissioners of the county shall assume the control, management and repair of said roads, so far as the same are herein declared to be county roads.

Commissioners to assume control and management.

Proceedings in case of refusal to keep roads in order.

SECTION 2. That if the county commissioners shall neglect and refuse to keep and maintain the said roads in repair, as required by this act, they shall be proceeded against in the same manner as is now provided by law in the case of supervisors.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 895.

An Act

To protect the elections of voluntary political associations, to regulate primary elections and punish frauds therein, within the limits of the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all elections hereafter to be held by any voluntary political association or party, in the county of Lancaster, for any delegate or executive committee, or for the nomination of candidates for the public office, the persons chosen to hold said election as judges and inspectors, or clerks and officers, or any person in their absence or refusal to serve, assuming or chosen in their place, shall first be sworn or affirmed by some officer authorized to administer oaths, that they will correctly and faithfully conduct such election, protect it against all frauds and unfairness, and truly canvass all votes cast thereat.

Officers at primary elections, to be sworn.

SECTION 2. It shall be the duty of the judges of such election to entertain objections made by any qualified elector, to any vote that may be offered, on the ground that the person offering it is not entitled to vote at said election, or that he has received or been promised, directly or indirectly, any money, promise or reward, for his vote, for any candidate, or that he has voted before at that place or some other on that day, in the same election; and it shall be the duty of the judges of election, if such objection be not withdrawn, to administer to the person so offering to vote, an oath or affirmation, that he will truly testify to all matters relating to his said qualification, or receiving or being promised, directly or indirectly, any money, promise or reward, for his vote, for any candidate, and whether he has voted at that or any other place on that day at such election; it shall then be the duty of the judges of election to interrogate the person so objected to, as to all the matters upon which said objection was made, and generally as to his qualifications; if the person so objected to, shall refuse to answer such questions after said oath or affirmation shall have been administered, or shall refuse to take such oath or affirmation, it shall be the duty of the judges of election to reject such vote, but if such oath be taken and such questions be answered satisfactorily, and not contradicted successfully by the sworn testimony of other witnesses, who may be called, it shall be the duty of the judges of election to admit the vote, having the word "sworn" noted opposite the parties name on the poll-list.

Duty of judges.

Shall administer oath to voter that he will truly testify.

Shall interrogate person as to his qualifications.

Shall reject vote on refusal to be sworn or answer.

When vote may be admitted.

SECTION 3. Any officers of said elections, or any voter thereof, who shall violate any provisions of this act, and any person or voter who shall offer any money, reward or promise for

Penalty for false swearing.

Provisions of this act may be submitted to vote of party, &c.

Result to be recorded and published.

Proceedings to be binding, if adopted.

voting thereat, and any person wilfully making a false statement, on oath or affirmation, at any such election, shall be guilty of a misdemeanor, and on conviction, shall be punished by a fine not exceeding five hundred dollars, and imprisonment not exceeding one year, or both.

SECTION 4. Any voluntary political association or party in said county may, by a vote of the executive committee thereof, elect to adopt the provisions of this act, or to submit the question of the adoption to a vote of the members of such political association or party; and a certificate of the vote of such executive committee, or the result of the vote of the members of such party, shall be duly certified and recorded in the proper office of the recorder of deeds of said county, who shall thereupon give notice, by publication, that such political association or party has adopted said act; and thenceforth this act, and all provisions thereof, shall have full power and effect in and upon such political association or party in said county; but no expense shall be incurred by the county or state in the conduct of elections under the provisions of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 896.

A Further Supplement

To an act, entitled "An Act erecting parts of Clinton, Potter, M'Kean and Elk into a county, to be called Cameron."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Part of Sylvania township annexed to Portage township.

Boundaries.

That all that part of the township of Sylvania, in the county of Potter, lying within the following described limits, be and the same is hereby annexed to the township of Portage, in said county, viz: Beginning at the south-east corner of the township of Keating; thence south on the east line of warrant three thousand nine hundred and eighty-seven and three thousand nine hundred and eighty-five, to the south-east corner of said warrant three thousand nine hundred and eighty-five; thence in a straight line to the mouth of Freeman run; thence south to the south line of said township of Sylvania; thence

west, to Portage township line; thence north on said Portage township line to the south line of Keating township; thence east on said Keating township line to the place of beginning.

SECTION 2. That the elections in said township of Portage shall be held at the school house near Benjamin Everett's, in said township. Place of holding township elections.

SECTION 3. That the first election for township officers for the township of Portage shall be held on the second Tuesday of October, Anno Domini one thousand eight hundred and seventy-one; and the officers then elected shall immediately enter on the duties of their office, and serve for the year one thousand eight hundred and seventy-one, until their successors are elected and qualified; and elections shall be held in said township each year at the time when all township officers in said county of Potter shall be elected; and C. C. Burdette, Daniel A. Everette and William Carson, shall be and are hereby appointed to act as judges and inspectors at the first election. First township election. Election officers

SECTION 4. That no road tax shall be levied by the supervisors of said township of Portage, upon the unseated lands within the original boundaries of the township of Portage, until the expiration of the charter of the Freeman Run and Forest House state road. When tax on unseated lands may be levied.

SECTION 5. That that portion of section six of an act, approved the sixteenth day of March, Anno Domini one thousand eight hundred and sixty-one, entitled "A supplement to an act, entitled 'An Act erecting parts of Clinton, Elk, M'Kean and Potter counties into a county to be called Cameron,' approved on the twenty-ninth day of March, Anno Domini one thousand eight hundred and sixty," inconsistent with this act, be and the same is hereby repealed. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 897.

An Act

Incorporating the Twenty-first Ward Market Association of the city of Pittsburg, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Sprague, Mathew Edwards, A. J. Woolslayer, J. V. Martland, Charles Hambel, Richard Thompson, Robert Corporators.

Gambert, T. W. Lindsay, B. W. Morgan, Archibald Henderson, Finley Torrence, John P. Pears, James Littell, Charles Kehew, A. D. Armstrong, Herman Kahler, J. N. Shoemaker, A. Reymer, George Hambelbright, Abraham Geowic and T. Mitchell, and their successors, be and they are hereby incorporated and erected into a body corporate, under the style and title of the Twenty-first Ward Market Association of the city of Pittsburg, and as such may sue and be sued, and have perpetual succession, buy and sell lands and issue bonds, as hereinafter provided.

Name.
Powers and
privileges.

May obtain site
and erect mar-
ket house, with
consent of city.

May establish
public market.

May borrow
money and exe-
cute mortgages.

Management.

Officers.

City of Pittsburg
may take pos-
session of prop-
erty on pay-
ment of cost.

When property
may revert to
city.

SECTION 2. That the said market association be and they are hereby authorized, with the consent of the councils of the city of Pittsburg, to obtain a suitable site for a public market house, in the Twenty-first ward of said city, and to erect thereon a market house and such other buildings as they may deem necessary, and to establish and maintain a public market therein, and to control and regulate the same, and to receive the rents and revenues thereof, and to fix the rates thereof, and elect or appoint all officers and servants for the management of the same.

SECTION 3. It shall be the duty of said market association to borrow money, to an amount not exceeding the cost of the lands purchased by them, and the cost of the proposed improvements thereon, and to execute, under such corporate seal as they may adopt, such mortgage or mortgages and bonds as may be necessary to secure the same, bearing such rate of interest as they may agree to: *Provided*, That the city of Pittsburg shall in no way be liable therefor.

SECTION 4. The business of said market association shall be managed by a board of directors, five in number, to be elected annually by the members thereof, at such time and in such manner as may be prescribed. The board of directors shall elect one of their number president, also a treasurer and secretary.

SECTION 4. That it shall be lawful for the city of Pittsburg to enter upon and take possession of the market house and property hereinbefore described, at any time, upon re-paying to the said corporation, their successors or assigns, the original cost thereof, with interest thereon, at the rate of ten per centum per annum: *Provided further*, That whenever the net revenues received by said corporation shall be equal to the expense of purchasing and improving the property held by them, with interest thereon as aforesaid, that then and in that event the same shall revert to and become the property of the city of Pittsburg: *Provided however*, It shall be lawful for the citizens of any other ward of the city of Pittsburg to organize an association for the erection of a market house, subject to all the provisions herein contained.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 898.

An Act

To authorize the governor to commission two additional lieutenants, as elected by the Keystone Battery, First brigade, First division, N. G. of Pa.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to those now authorized by law, the governor is hereby authorized to commission two additional lieutenants, as elected by the members of the Keystone Battery, First brigade, First division, National Guards of the state of Pennsylvania.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 899.

An Act

To vacate a part of the Titusville and Breedtown public road, in the city of Titusville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the Titusville and Breedtown public road, as lies between the intersection of Bank street with the said public road, and the intersection of Perry street with the said public road, in the Third ward of the city of Titusville, be and the same is hereby vacated. Portion of Titusville and Breedtown road, vacated.

SECTION 2. All acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 900.

An Act

To prevent the destruction of fish in the several streams of Lamar and Porter townships, in Clinton county.

Fishing within limits of Lamar and Porter townships, forbidden.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be unlawful for any person or persons to enter upon any lands adjoining any water of the several streams and creeks within the limits of the townships of Lamar and Porter, in the county of Clinton, for the purpose or with the intent of catching, taking or killing any fish in or from the several waters above named, by any means or device whatever.

Penalty.

SECTION 2. That any person or persons, so entering upon the lands of another, and taking, catching or killing any fish, or attempting so to do, in any of the several streams above named, without first obtaining the consent of the owner or owners or occupiers, shall forfeit and pay the sum of ten dollars for each and every offence, to be recovered before a justice of the peace, as fines and forfeitures are now recoverable, in the name of the commonwealth, with costs of suit, to be appropriated to the school fund of the township in which the offence is committed; and the prosecutor thereof is hereby made a competent witness on the trial of said cause.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 901.

An Act

Authorizing the removal of the dead from the burial ground of the Baptist church of Phoenixville, Chester county, Pennsylvania, to the Morris cemetery, adjoining said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the trustees of the Baptist church of Phœnixville be and are hereby empowered to remove, or cause to be removed, the dead from the burial ground adjoining the church building of said church, in Phœnixville, to the grounds of the Morris Cemetery Company, adjacent to said borough: *Provided*, That the trustees shall give at least sixty days' notice, in the papers of the borough or otherwise, before they commence the removal of the dead.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 902.

An Act

To enable the directors of borough of Centreville, Crawford county, to borrow money to build a school house.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Centreville borough, Crawford county, are hereby authorized to borrow any amount of money, not exceeding fifteen hundred dollars, on bonds bearing not more than eight per centum interest, for the purpose of building a school house; also authority to levy a special building tax of not more than three (3) cents on the dollar, as assessed valuation of said borough, for three successive years.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 903.

An Act

To extend to Warren county the provisions of an act, entitled "An Act to amend an act, approved April eighth, one thousand eight hundred and sixty-eight, entitled 'An Act relating to liens of mechanics, material-men and laborers upon leasehold estates and property thereon, in the counties of Venango, Crawford and Warren, and the supplement thereto, approved April thirteenth, one thousand eight hundred and sixty-nine,'" approved the twenty-eight day of March, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to amend an act approved April eighth, one thousand eight hundred and sixty-eight, entitled 'An Act relating to liens of mechanics, material-men and laborers upon leasehold estates and property thereon, in the counties of Venango, Crawford and Warren,' and the supplement thereto, approved April thirteenth, one thousand eight hundred and sixty-nine," approved March twenty-eighth, Anno Domini one thousand eight hundred and seventy, be and the same is hereby extended to Warren county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 904.

An Act

To extend the provisions of an act in relation to roads and bridges in Kilbuck township, Allegheny county, to the township of Moon, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of an act, entitled "An Act authorizing the citizens of Kilbuck township, Allegheny county, to change the method of making and repairing the roads and bridges in said township," approved the twenty-eighth day of March, one thousand eight hundred and seventy, be and the same are hereby extended to the township of Moon, in Allegheny county, with the exception that the provision in the ninth section, which imposes a penalty of three dollars for hauling logs over the road, shall not form a part of this act: *And provided*, That John M. Woods, William H. Guy and Jacob Lashel, shall be empowered to act as supervisors until their successors are elected under the provisions of this act: *And provided further*, That the division of the township for this year shall be on the first day of June instead of the first day of March.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 905.

An Act

Granting a pension to Joseph Thompson, a soldier of the war of one thousand eight hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and is hereby authorized and directed to pay Joseph Thompson, of Indiana county, a gratuity of forty dollars, and an annuity of forty dollars per annum, payable semi-annually, commencing on the first day of January, one thousand eight hundred and sixty-seven: *Provided*, That when the general government shall provide by law for pensions to the soldiers of the war of one thousand eight hundred and twelve, then the pension hereby granted shall thereafter cease. This, however, shall not interfere with any back pay to which said pensioner may be entitled.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 906.

An Act

To incorporate the Wyoming Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That Payne Pettebone, John Pollock, Steuben Jenkins, John Sharps, James P. Atherton, William S. Shoemaker and James D. Green, or a majority of them, be and they are hereby appointed commissioners to open books and receive subscriptions, and organize a company, by the name, style and title of the Wyoming Turnpike Road Company, with power to construct a turnpike road from the back road, near the public house of John Pollock, in the township of Kingston, in the county of Luzerne, to the village of Centremoreland, in the township of Northmoreland, in the county of Wyoming, or to some point on the public road between the village of Orange, in Franklin township, Luzerne county, and the said village of Centremoreland, with the right to make a branch or branches, not exceeding four miles in length, by the most feasible and practicable route, in pursuance of and subject to the several provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto.

Name. Authorized to construct turnpike road.

Location.

May make branches.

Subject to.

Capital. **SECTION 2.** The capital stock of said company shall consist of five hundred shares of twenty dollars each: *Provided,* That said company may, by a vote of the stockholders, or a majority of them, at a meeting called for that purpose, increase its capital stock to such an amount as they shall deem necessary for carrying out the true intent and meaning of this act: *Provided also,* That said company may use portions of old roads in the construction of said turnpike, but not change the width of said roads.

Increase.

May use old roads.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 907.

An Act

To vacate part of Twelfth street, (formerly High street,) in the city of Franklin, Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the mayor and councils of the city of Franklin to vacate the part of Twelfth street, (formerly High street,) between Liberty street and Elk street, in the city of Franklin; and if said mayor and councils shall see fit to exercise the authority hereby granted, the title to the soil over which the same is laid, and shall vest in corporate authorities of said city of Franklin, to be used by them for the purposes of a public park, and for no other purpose.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 908.

A Further Supplement

To the act of assembly incorporating the city of Lock Haven, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

WHEREAS, The twenty-fifth section of the act of assembly incorporating the city of Lock Haven, approved March twenty-eighth, Anno Domini one thousand eight hundred and seventy, authorizes the city council to borrow money and issue bonds therefor, without designating the rate of interest which may be charged upon the bonds so issued; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the bonds now issued by the said city, in pursuance of said authority, the city council may fix and determine the

rate of interest: *Provided*, The same does not exceed ten per centum per annum.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 909.

An Act

To authorize the road commissioners of the township of Harbor Creek, in the county of Erie, to assess and collect an additional road tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of the township of Harbor Creek, in the county of Erie, are hereby authorized to assess and collect, in money, each year, in addition to the amount now authorized by law, a road tax, not exceeding five mills on the dollar on the assessed valuation of all property assessed for county rates and levies, for the purpose of defraying the money expenses of the road commissioners of said township in constructing bridges and defraying other necessary expenses incident to their duties as road commissioners.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 910.

A Supplement

To an act forbidding the building of stables in a certain portion of the city of Reading, approved April eleventh, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the act of assembly, to which this is a supplement, as forbids the building and erection of any stable or stables in a certain fifteen feet alley, between Reed street and Seventh street, and Walnut and Washington streets, in the city of Reading, be and the same is hereby repealed.

SECTION 2. That it shall be lawful hereafter for persons to build brick or stone stables in said fifteen feet alley, but none other.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 911.

An Act

To repeal an act approved the fourteenth day of March, Anno Domini one thousand eight hundred and seventy, relative to the payment of assessors and supervisors in York county, as far as the same relates to the pay of assessors in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved March fourteenth, Anno Domini one thousand eight hundred and seventy, as relates to the pay of assessors in the county of York, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 912.

An Act

Appointing commissioners to lay out, locate and open a state road from a point on the road leading from Union church to Wallace's lane, in Adams township, Butler county, at or near Kennedy's lane, to the Beaver road, at or near the house of Samuel Greer, in Pine township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

Authorized to lay out state road.

Location.

Commissioners to make draft.

To be filed in quarter sessions court.

Quorum

Elevation of road.

Compensation.

Surveyor.

Duty of supervisors.

Penalty for neglect.

That Richard Pinkerton, James Barr and Nathan M. Slater, are hereby appointed commissioners for the purpose of laying out and opening and making a state road, commencing at or near Kennedy's lane, on the road leading from Union church to Wallace's lane, in Adams township, Butler county, to the Beaver road, at or near the house of Samuel Greer, Pine township, Allegheny county.

SECTION 2. That when said road shall have been surveyed and located, it shall be the duty of said commissioners to make a draft of the same, which shall be filed of record in the court of quarter sessions of Butler county, and when so filed, said draft and the record thereof shall be legal evidence in all things relating to the same; that any two of said commissioners shall be deemed a quorum and sufficient to do anything authorized to be done by this act, having a due regard to a straight and easy road, at an elevation of not more than three degrees from a horizontal line, and shall clearly and distinctly mark the points on the route located; the said commissioners shall receive three dollars per day for each day they shall be necessarily engaged in the performance of their duty under the provisions of this act; they shall employ a practical surveyor at the rate of five dollars per day, and two chain bearers at two dollars per day: *Provided*, That one of the commissioners may act as the surveyor, but he shall not receive more than five dollars per day as commissioner and surveyor; before entering upon the duties required by this act, the commissioners and surveyor shall be sworn or affirmed before a justice of the peace to perform all the duties required of them truly and fairly.

SECTION 3. It shall be the duty of the supervisors or other officers having charge of the public roads in the several townships through which said road shall pass, upon a written notice being given by any person interested in its use, to proceed without delay to open, construct and keep in order and good repair said road, under a penalty of fifty dollars for neglecting the same, to be collected before any justice of the peace in the county where said officer resides.

SECTION 4. The commissioners appointed by this act shall file vouchers for their per diem pay and other necessary ex-

penses with the commissioners of the counties through which said road shall pass, who shall adjust the same, and pay them as other accounts and orders are paid, by warrants on the treasurer or otherwise: *Provided*, That neither of the said counties be liable to pay a greater proportion of the said expenses than for the work done and service rendered within said county.

Commissioners shall file vouchers with county commissioners for expenses, &c.

SECTION 5. That said commissioners shall meet on or before the first Monday of June next, or as soon thereafter as a majority of them may agree upon, and complete the location of said road; and if a vacancy should occur by reason of resignation or otherwise, the remaining commissioner or commissioners may fill the vacancy by appointment of a suitable person or persons.

Meeting of commissioners.

Vacancies.

SECTION 6. It shall be the duty of the commissioners to assess all damages sustained by owners of land by reason of said road, and said damages are to be paid as is now provided by law.

Assessment of damages.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W GEARY.

No. 913.

An Act

To lay out a state road in the counties of Lebanon and Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Uriah B. Stewart and Franklin Keener, of Lebanon county, and Henry S. Eberly, of Lancaster county, be and they are hereby appointed commissioners to view, lay out and mark a state road, beginning at a point where a public road known as the Sheep Hill road intersects with the Mountain road, on the lands of Edward Fetter and John Mathews, in Heidelberg township, Lebanon county, and from thence by the nearest and best route, so as to intersect the public road known as Seck Lock road, at a point on lands of Jonathan Zerbe and G. Dawson Coleman, in Elizabeth township, Lancaster county.

Commissioners to lay out a state road.

Location.

SECTION 2. It shall be the duty of the said commissioners or a majority of them, after having been duly sworn or affirmed

Commissioners to be sworn.

To make draft and file a copy with clerk of court.	before some justice of the peace, to view, lay out and mark the said road, within six months from the date of the passage of this act; to make out a fair and accurate draft of the location of said road, noting thereon the courses and distances as they occur, a copy of which shall be deposited in the office of the clerk of the court of quarter sessions of the respective counties through which the said road passes; to fix the
Width of road.	width of said road: <i>Provided</i> , That said width shall not be less than thirty-three feet, nor exceed fifty feet, and to so lay out said road that the vertical departure from a horizontal line shall in no point exceed ten degrees, except at the crossing of ravines and streams, where, by moderate filling and bridging the declination of the road may be preserved within said limits; and for fulfilling the duties enjoined in this act,
Elevation.	the said commissioners shall receive a per diem allowance of two dollars and fifty cents each, for every day necessarily occupied in carrying out the provisions of this act; and in case any of the said commissioners shall perform the duties
Compensation of commissioners.	of surveyor, he shall receive one dollar per day in addition; and in case neither of them shall perform the duties of surveyor, then they are hereby authorized to employ one surveyor, at three dollars per diem, two chain bearers and one axeman, at one dollar and fifty cents per diem each.
Surveyor.	SECTION 3. It shall be the duty of the supervisors of the respective townships through which said road shall pass, within one month after a draft or plan of said road shall have been deposited in the office of the clerk of the court of quarter sessions of the respective counties through which said road shall pass, to open and repair the same in all respects as roads are opened and repaired which are laid out by orders of the courts of quarter sessions; and the draft or plan of said road, so deposited as aforesaid, shall be a record thereof.
Duty of supervisors.	SECTION 4. All expenses incurred in viewing, laying out and opening the said road shall be borne by the respective townships through which it shall pass, in proportion to the length of road in each township, respectively; and the supervisors of such townships are hereby authorized and required
Expenses to be borne by townships.	to levy and collect a sufficient tax, in their respective townships, to defray said expenses.
Tax authorized.	

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 914.

An Act

Relative to the pay of jurors in the counties of Butler and Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act each and every person serving as a juror in the courts of Butler and Lawrence counties shall receive two dollars per day for such services, in addition to the mileage now allowed by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 915.

A Supplement

To an act to incorporate the borough of Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the nineteenth section of the act, entitled "An Act to incorporate the borough of Columbia," approved the sixteenth day of April, Anno Domini one thousand eight hundred and sixty-six, as refers to the qualifications of electors for borough officers, be and is hereby amended by striking out the words, "and within one year paid a borough tax," and inserting in place thereof the words, "and having paid the borough tax last assessed previous to the election."

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 916.

An Act

To amend an act, entitled "An Act to regulate the terms of the several courts in the Sixth judicial district," approved March second, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the regular terms of the courts of Erie county shall commence and be held as follows, to wit: One on the third Monday of February, to continue two weeks; one on the first Monday of May, to continue one week; one on the fourth Monday of August, to continue one week; one on the third Monday of November, to continue two weeks, in each year, and additional terms as follows: One on the first Monday of January, to continue two weeks; one on the fourth Monday of March, to continue two weeks; one on the second Monday of April, to continue two weeks; one on the fourth Monday of September, to continue two weeks, in each year.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 917.

An Act

To incorporate the Pottsville Female Institute, and to authorize it to borrow money and mortgage its property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and is hereby established in the borough of Pottsville, in this commonwealth, an institute for the education of females in the various branches of science, literature, the ancient and modern languages, and other branches of education and accomplishments, suitable for females, by the name,

Institution for
the education of
females estab-
lished in Potts-
ville.

style and title of the Pottsville Female Institute; the said institute to be under the control, direction and management of fifteen trustees, who shall appoint one person as president, one person as treasurer and one person as secretary; five of said trustees shall constitute a quorum, and be competent to fill vacancies in their own body, and also to prescribe the duties authorized and required to be performed by the different officers whom they may select, of whom the president and treasurer shall be chosen from among the trustees.

Name.
Management.
Officers.
Vacancies.

SECTION 2. That the first trustees of the said institute shall consist of the following persons, to wit: George W. Smiley, Theodore Garretson, Franklin B. Kærcher, Charles M. Atkins, J. K. Sigfreid, D. E. Nice, Charles Baber, Benjamin Haywood, F. W. Hughes, Frank Carter, L. C. Thompson, Henry Strauch, H. H. Huntzinger, A. S. Moorhead and Mahlon Nichols; which said trustees and their successors, to be hereafter elected by the stockholders of said institute, shall forever hereafter be and they are hereby erected into and declared to be a body politic and corporate, with perpetual succession, and with all the incidents of a corporation, in deed and in law, to all intents and purposes whatsoever, by the name, style and title of the Pottsville Female Institute; by which name, style and title the said trustees and their successors shall be able and capable, at law and in equity, to purchase, take, hold and possess, to themselves and their successors, for the use of the said institute, any estate in any messuages, lands, tenements, hereditaments, goods, chattels, moneys or other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise or bequest of any person or persons, or corporations whatsoever: *Provided*, That the annual income of the same, exclusive of the income or receipts from the pupils, the parents or guardians, does not exceed the yearly value of six thousand dollars; and the same messuages, lands, tenements, hereditaments and estates, real and personal, to grant, bargain, sell, convey, assign, demise, rent, lease and to farm, let and to place out on interest, or otherwise dispose of or invest for the use of the said body politic or corporation, and to erect the necessary buildings for the use of the said institute, in such manner as shall seem to them most beneficial, and to receive the rents, issues, profits and income of the same, and apply the same in dividends among the said stockholders, in proportion to the amount of stock held by each person; and by the same name to sue, commence actions, prosecute and defend, implead and be impleaded in any court of law or equity, and in all manner of suits and actions whatsoever, and to transact all matters and things incident thereto, as fully and effectually as any natural person or body politic or corporate have power to manage their concerns.

Trustees, incorporated.

Name.
Powers and privileges.

Yearly income limited to \$6,000.

SECTION 3. That the said corporation may cause to be made, for its use, a common and corporate seal, by and with which all deeds, certificates, appointments and acts of the said corporation shall be authenticated, and the same seal at its pleasure to break, alter or renew.

Seal.

SECTION 4. That the capital stock shall consist of five hundred shares, of fifty dollars each; and the said trustees herein

Capital.

Form of sub-
scription.

named are hereby authorized to open books for subscription for said stock, which subscription shall be in the following form: "We, whose names are hereunto subscribed, do promise to pay to the treasurer of the Pottsville Female Institute, the sum of fifty dollars, for each and every share of stock set opposite to our respective names, in such manner and proportions, and at such time or times as shall be required by the trustees of the said institute;" and it shall be lawful for any person or persons, body politic or corporate, to subscribe for as many shares of the stock, hereby authorized to be issued, as he, she or they may think proper.

Certificates of
stock.

SECTION 5. That said trustees shall be and are hereby authorized to issue certificates of stock, in shares of fifty dollars each, to the amount which may be hereafter respectively subscribed and paid by individuals or bodies politic or corporate, to and for the use and benefit of said institute; which certificate, signed by the president and secretary of the board of trustees, shall be issued to the persons, or to the heirs and legal representatives of all persons, bodies politic or corporate, who have so as aforesaid subscribed and paid, or who may at any time hereafter subscribe and pay, and shall be entered in a book kept by said secretary for that purpose, in which also shall be entered every transfer of such certificates which may be duly made, in the presence of and attested by any of the officers of said board of trustees.

Election for
trustees, when
and where held.

SECTION 6. That there shall be held an election for trustees of said institute, in place of the board of trustees appointed by this act, and on the first Monday of July, one thousand eight hundred and seventy-one, and on the same day of each year thereafter, at the building occupied by said institute, or at such place as may be designated, of which time and place the trustees shall give at least twenty days' previous notice, by publication in two newspapers printed in said borough of Pottsville; which said election shall be conducted by any two of the existing and acting trustees, appointed by the board for that purpose; and any stockholder shall be allowed to vote at such elections, in the ratio of one vote for each share of stock which he or she shall or may own or hold, and standing in his or her name on the books of the corporation at the time of such election: *Provided however*, That if from any cause said election for trustees shall not be held at any time designated in this section, then it may and will be proper, and in the power of any two or more of the actual stockholders, to hold the said election, upon giving at least twenty days' previous public notice, in two newspapers as aforesaid, of the time and place of holding the same; and it shall be in the power of the then existing trustees to retain their authority until their successors are duly and legally elected as aforesaid.

Notice.

Votes.

Proceedings
when elections
are not held at
time designated

By-laws.

SECTION 7. That the said trustees shall have power to enact such by-laws, rules and regulations as they or a quorum of them may deem proper for their own control and government: *Provided*, That such by-laws, rules and regulations do not conflict with the constitution of the United States nor of the state of Pennsylvania; and that the said trustees, in connection with the faculty, shall have power to confer customary

degrees and award diplomas to students who shall have completed the usual curriculum of studies in the institute, and under the control of the faculty.

Degrees and diplomas.

SECTION 8. That the treasurer shall receive and hold all moneys belonging to said corporation, and pay out the same to the order of the board, signed by the president and secretary, and he shall keep fair accounts thereof, which shall be open to the inspection of the trustees at all times, and of which he shall make report at such time or times as he shall thereunto be required by the said board of trustees; and before entering upon the discharge of his duties he shall give a bond with one or more sufficient sureties, to be approved by the board of trustees, in a sum equal to double the estimated amount of money to be received by him, conditioned for the faithful discharge of his office, and the payment of all moneys remaining in his hands to his successor in office.

Duties of treasurer.

Inspection of accounts.

To give bond.

SECTION 9. That the corporation shall have power to borrow money in any sum not exceeding twenty-five thousand dollars, at such rate of interest as may be agreed upon between the contracting parties, and to secure the payment of the same by bond, mortgage or otherwise on its property and franchises; and the money so borrowed shall be exempt from taxation.

May borrow money and execute mortgage.

SECTION 10. That the trustees may, if they deem it expedient, lease and hire out the real estate and effects of said corporation to a competent teacher or teachers, and receive and collect rent and compensation for the use of such real and personal estate, and the same to divide ratably among the stockholders, after first deducting all necessary charges and expenses for repairs, taxes and the due management of the affairs of said corporation.

Trustees may lease real estate.

SECTION 11. That the buildings of the Pottsville Female Institute, and the grounds attached thereto, not exceeding five acres, located in the borough of Pottsville, shall be and the same are hereby exempted from the payment of all taxes levied or to be levied, except state taxes, so long as the same are used for school purposes.

Property exempt from local taxation.

SECTION 12. That no misnomer of the said corporation shall defeat or annul any gift, grant, devise or bequest to or for the said corporation: *Provided*, That the intent of the parties shall sufficiently appear upon the part of the gift, grant, will or other writing, whereby any real estate or interest was intended to pass to or from said corporation; and the trustees of the said corporation are hereby authorized to change the name, style and title of the said corporation, which change shall be valid upon filing with the secretary of the commonwealth a certificate signed by the president and attested by the seal of the said corporation.

Misnomer shall not defeat gifts, &c.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 918.

An Act

To extend the provisions of an act to prevent cattle, horses, mules, sheep and hogs from running at large in Upper and Lower Merion townships, Montgomery county, and the townships of Upper and Lower Nazareth, in the county of Northampton, to the townships of Forks and Palmer, in the county of Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act approved April fourth, one thousand eight hundred and sixty-eight, entitled "An Act to prevent cattle, horses, mules, sheep and hogs from running at large in Upper and Lower Merion townships, Montgomery county, and the townships of Upper and Lower Nazareth, in the county of Northampton," be and the same are hereby extended to the townships of Forks and Palmer, in the said county of Northampton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 919.

An Act

To authorize James H. Wharton, postmaster at Port Royal, Juniata county, to act as notary public in said county.

WHEREAS, The governor of the commonwealth has seen proper to appoint James H. Wharton, of the borough of Perrysville, Juniata county, to the office of notary public for said county:

And whereas, The said James H. Wharton is now acting in the capacity of postmaster at Port Royal, Juniata county, by virtue of an appointment made, and commission now held by him from the U. S. government; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That any inability existing on the part of the said James H. Wharton to act in the capacity of a notary public for the said county of Juniata, by reason of his holding the office of post-master, be and the same is hereby removed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 920.

An Act

Authorizing the school directors of Washington sub-school district of the city of Pittsburg to levy a special tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of school directors of the Washington sub-school district of the city of Pittsburg are authorized and empowered to levy a special tax, not exceeding five (5) mills on all property taxable for school purposes, to provide a fund for meeting the obligations of said board of school directors.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 921.

An Act

To incorporate the Wrightsville and Chanceford Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners
to receive sub-
scriptions, &c.

That Henry Kauffelt, Dr. W. B. Bigler, John Beidler, William M'Conkey, D. S. Cook, James D. Kerr, Henry Hantz, Solomon Zorbaugh, Harris Wilton, Joseph Wilson, John F. Strickler, Jacob Gohn, George Harris, John M. Denning, William Heppenshall, Henry Burg, Junior, William A. Gosnell, Thomas Hines, Samuel Sloat, Jacob Detwiler, Dr. B. F. Porter, Daniel Conrad, A. W. Shenberger, Samuel Reed, Jacob Shenberger, Robert Kilgore, Martin Grove, Robert Gemmill, William B. Couse, T. Z. H. Murphy, or any five of them, be and they are hereby appointed commissioners, to open books, receive subscriptions, and organize a company, by the name, style and title of Wrightsville and Chanceford Turnpike Road Company, to locate and construct a turnpike road from the borough of Wrightsville, by the best and most direct and practicable route to a point on the road leading from York to Peach Bottom, at or near the village of Brogueville, subject to all the restrictions and provisions relating to turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this and the following sections.

Name.

Authority to
construct turn-
pike road.

Route.

Subject to.

Capital.

Increase.

May erect gates
and collect tolls
when one mile
is completed.

Persons exempt
from tolls.

Others to pay
according to dis-
tance traveled.

Payment may
be enforced.

May use town-
ship roads.

When to com-
mence construc-
tion.

May borrow
money to
amount of
\$10,000.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, at twenty per share: *Provided*, That the said company may from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as in their opinion may be required to complete the road according to the true intent and meaning of this act.

SECTION 3. That when the said company shall have constructed one mile of the said road from the borough of Wrightsville, they may erect gates and receive tolls at a rate equal in amount for two miles, and when three miles are completed, may receive tolls for five miles, as provided in section thirteenth of the act regulating turnpike and plank road companies.

SECTION 4. That all persons using and traveling on said turnpike road, except persons going to and from funerals, and passing to and from public worship on the Sabbath day, and persons going from one part of their farm to another part of the same, shall be liable to pay toll at the rates specified in this act, according to the distance they may travel on the same, notwithstanding they do not pass the toll-house; and if upon demand by the toll-gatherer, they shall refuse to pay the same, it shall be recoverable in an action of debt before a justice of the peace, as debts of like amount are now recoverable by law.

SECTION 5. That the said company may use all or such part or parts of any township road, on the route of said turnpike, as may be practicable and for the interest of said company: *Provided*, That the said company shall not be required to commence the construction of this road within three years from the passage of this act.

SECTION 6. The president and directors of said company be and they are hereby authorized to borrow a sum of money, not exceeding ten thousand dollars, for the purpose of com-

pleting said road; and it shall be lawful for said company to secure the money so borrowed by bond or bonds of said company, and mortgage upon their property or otherwise, as the said president and directors may deem proper: *Provided*, That no bond shall be issued for less than one hundred dollars.

May issue bonds

SECTION 7. That it shall be lawful for said company to make use of any county bridge on the said route or line of said road.

May use county bridges on route

SECTION 8. That so much of the act of assembly approved the sixth day of January, one thousand eight hundred and forty-nine, regulating the grade and width of turnpike road, shall not be applied to this road, but the grade may be _____ degrees from a horizontal line, and the width of said road need not be over eighteen feet, with a roadway of nine feet of stone, gravel, slate or other hard substance.

Width and grade.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 922.

An Act

For the improvement of certain streets in the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the petition of the owners of a majority of feet front on both sides, facing on the following named streets, to wit: Peach, State and Turnpike streets, or any part or portions thereof, in the city of Erie, except on State street northwardly from the park, for the improvement of said streets, or portions thereof, with the Nicholson pavement, said pavement on State street to be laid not to exceed sixteen feet in width on each side of the street railway, to be measured from the outer rail thereof, it shall be the duty of the councils of said city to enact the necessary ordinance or ordinances for that purpose, and cause the same to be laid.

Councils may pave certain streets with Nicholson pavement on petition of owners.

SECTION 2. That the councils of the city of Erie are authorized and empowered to levy and collect, from the owners of property abutting on said streets or parts of said streets so required to be paved with the Nicholson pavement, except

May levy and collect from owners one-third of cost.

from such owners on State street northwardly from the park, a sum not exceeding one-third of the cost of said improvement, as is now provided for by law for the payment of street paving.

Repeal.

SECTION 3. That so much of section first of the act, entitled "An Act to establish and fix the width of the carriage way and pavements, and to provide for an ornamental lawn on Sixth street, in the city of Erie," approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-eight, as required the width of the carriage way in the centre of Sixth street to be thirty-six feet, be and the same is hereby repealed, so far as the same relates to said street lying east of French street, and called East Sixth street, and the width of the same is hereby established at forty-four (44) feet; and the width of the lawn on each side of the carriage way in said East Sixth street is hereby established at fourteen feet, instead of eighteen feet, as is provided for in said act.

Width of East Sixth street.

Words stricken out.

SECTION 4. That the words, "and paved," twice occurring in the first section and once in the second section of the before-mentioned act, be and the same are stricken out of said act and repealed, so far as relates to said East Sixth street; and anything in said act inconsistent with the provisions of this act be and the same is hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 923.

An Act

To establish a ferry across the Allegheny river, at a point a short distance above the mouth of Two Mile run, in Sugar Creek township, Venango county.

Ferry authorized.

Location.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry Hilands and Samuel J. M'Aninch, both of Venango county, and state of Pennsylvania, their heirs and assigns, shall have the right and privilege, at their own proper cost and charges, to make good and convenient buildings on each side of the Allegheny river, at a point within sixty rods above the mouth of Two Mile run, in Sugar Creek town-

ship, in Venango county, and of opening of roads of the width of forty feet from such landings to the public road, now or hereafter to be laid on each side of the Allegheny river, and also the right and privilege of erecting posts on any land or lands contiguous to or adjoining said lands, and to extend therefrom across said river a rope, chain or wire, in order to facilitate the crossing of said stream: *Provided*, That the said rope, chain or wire shall be so extended as not to interfere with or obstruct the ascent or descent of crafts navigating said stream: *Provided also*, That the said Henry Hilands and Samuel J. M'Aninch, their heirs and assigns, shall pay to the owner or owners of said land or lands on which the before-mentioned posts may be erected and roads laid out, all damages which accrue to said owners in consequence thereof, which said damages shall be assessed by a jury of three persons appointed by the court of common pleas of said Venango county; and their report and proceedings shall be the same in every case as in the case of opening private roads under existing laws.

May open roads from landing.

May extend wire across stream.

Assessment and payment of damages.

SECTION 2. The said Henry Hilands and Samuel J. M'Aninch, their heirs and assigns, shall provide good and substantial boats and flats and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting travelers and others across the said river, and on the failure thereof, unless prevented by some unavoidable occurrence, they shall pay the actual damage done to any person who shall suffer detention therefrom, and who shall sue for the same within five days thereafter, before any justice of the peace within the townships of Sugar Creek or Cranberry, in said county of Venango.

Requirements.

SECTION 3. The said Henry Hilands and Samuel J. M'Aninch, their heirs and assigns, for keeping and maintaining the said landings and ferry as aforesaid, shall receive a compensation from persons passing over said river at such ferry, at the following rates, namely: For each foot person, five cents; for each person and horse, ten cents; for each one-horse carriage, twenty cents; for each two-horse carriage or wagon, twenty-five cents; for each additional horse, five cents; for each head of horned or neat cattle led or driven, three cents; for each head of sheep or swine led or driven, one cent; for each yoke of oxen, ten cents.

Rates of toll.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or any way injure or destroy any rope, chain or wire, boat or other property, or shall take from its moorings any craft or boat belonging to said ferry, he, she or they so offending shall forfeit and pay to the said Henry Hilands and Samuel J. M'Aninch, their heirs and assigns, the sum of thirty dollars, in addition to all damages sustained by the owners of said ferry, to be recovered as debts of like amount are now by law recoverable, but without stay of execution or relief from any law of this commonwealth exempting property from levy and sale for debts.

Penalty for destroying or injuring ferry property.

SECTION 5. That all persons except said Henry Hilands and Samuel J. M'Aninch, their heirs, agents or assigns, are hereby prohibited from using said river for the purpose of a ferry

Other ferries prohibited within one-half mile.

within the distance of one-half mile of said ferry; and any person or persons violating the provisions of this section of this act, shall forfeit and pay to the said Henry Hilands and Samuel J. M'Aninch, their heirs and assigns, the sum of fifty cents for every traveler, team, head of cattle, horse or carriage ferried over said river within the above-mentioned bounds, to be recovered as the penalties in the fourth section of this act are recovered.

May abandon
ferry.

SECTION 6. That the said Henry Hilands and Samuel J. M'Aninch, their heirs and assigns, shall have the power and right to abandon or vacate said, whenever the same is no longer necessary to accommodate the traveling public; otherwise this act shall be and remain in force for the period of twenty years.

Limitation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 924.

An Act

To extend to Montour county the provisions of an act giving bounty on fox, mink and pole cat scalps in the county of Northumberland, approved April sixth, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act giving bounty on fox, mink and pole cat scalps in the county of Northumberland," approved April sixth, one thousand eight hundred and seventy, be and the same is hereby extended to the county of Montour.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 925.

An Act

To authorize and empower the town council of the borough of Ashland, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Ashland, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow, on the credit of the said borough, for the purpose of macadamizing the streets, constructing sewers and culverts, and making other public improvements therein, and for the paying off or funding the present indebtedness of the same, any sum of money not exceeding thirty thousand dollars, at a rate of interest not exceeding eight per cent. per annum, payable at any time the said town council shall determine, within ten years: *Provided,* That no bond or other obligation shall be issued by said town council for the payment of sums less than one hundred dollars, and that the same shall be exempt from taxation: *And provided further,* That the borough treasurer shall receive no compensation whatever for either receiving or paying out borrowed money.

Council may borrow \$30,000 for street improvements, &c.

Bonds.

Treasurer to receive no compensation.

SECTION 2. Said town council and their successors in office are hereby authorized and empowered to levy and collect a special tax in addition to that now allowed by law, to such an amount as may be necessary to pay the annual interest on the funded debt of the said borough, and also to establish a fund for the liquidation of the debt itself: *Provided however,* That said special tax shall not exceed the amount of five mills per annum on the taxable property of said borough.

May levy and collect a special tax.

SECTION 3. That all laws or parts of laws inconsistent with this act be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 926.

An Act

To authorize the borough of Danville to borrow money for the purchase of steam fire engines, et cetera, and to increase taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Danville, Montour county, be and they are hereby authorized and empowered to borrow, on the credit of said borough, any sum or sums of money, not exceeding eight thousand dollars, and to issue bonds or certificates of indebtedness therefor, under the corporate seal of said the borough of Danville, signed by the burgess and attested by the clerk of the town council; in sums not less than one hundred dollars each, payable at such time or times as the said town council shall determine, not exceeding five years from the date of issue, at a rate of interest not exceeding six per centum per annum, which interest shall be payable annually to the holder or holders of such bond or bonds, certificate or certificates; and the said burgess and town council shall have authority, and they are hereby authorized from time to time, and as often as the same may be necessary, to raise by taxation, in the manner pointed out by existing laws for that purpose, such sum or sums of money as will be necessary to pay the principal and interest or the interest alone on said bond or bonds, certificate or certificates; and the burgess and town council of the borough of Danville are hereby authorized and empowered to levy and collect annually, for borough purposes, any tax, not exceeding one cent on the dollar on the valuation assessed for county purposes, as now is or may hereafter be provided by law: *Provided,* That such money when borrowed shall be applied to purchasing steam fire engines, hose and necessary apparatus for fire companies.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 927.

A Further Supplement

To an act for making a turnpike road over Peter's mountain, in Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act approved April fourth, Anno Domini one thousand eight hundred and sixty-three, entitled "A further supplement to an act for making a turnpike road over Peter's mountain, in Dauphin county," as provides that each stockholder shall be entitled to one vote for each share of stock not exceeding ten shares, and for every five additional shares above ten shares, one vote more, be and the same is hereby repealed; and hereafter each stockholder shall be entitled to one vote for each share of stock.

Repeal of act relative to voting.

Each share entitled to one vote.

SECTION 2. That the said company are hereby authorized to charge the following rates for toll over said road, namely: All pleasure carriages, sulkies, buggies, et cetera, ten cents for each horse; for all manner of spring wagons, eight cents per horse; for all wagons and carts, other than for pleasure, five cents per horse; for all sleighs or sleds used for pleasure, eight cents per horse; for other sleighs or sleds, five cents per horse; for all single horses and mules, five cents each; for all colts over four months old, three cents per head; for all horned cattle, two cents per head; for all sheep and hogs, one cent per head.

Rates of toll.

SECTION 3. That all owners of wood land north of Peter's mountain, and lying on each side of the road aforesaid, shall be required to pay to said company, for the use of said road, three cents per year for each acre adjoining said road; and the board of directors is hereby authorized to assess and collect said amount from owners of said adjoining land for said company; all acts or parts of acts inconsistent with this act are hereby repealed.

Assessment on owners of adjoining woodlands.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 928.

A Supplement

To an act relative to streets in the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the viewers, on the opening, widening or extending, or re-grading or re-paving of any street, lane or alley in the city of Allegheny, shall add the costs and expenses of the view to the damages awarded, or costs of construction, and assess the same as a part thereof.

Costs of view to be added to damages.

SECTION 2. In the matter of the opening, widening or extending of streets, lanes or alleys, in said city, the viewers shall have the right to recommend that buildings situated partially on the street, lane or alley to be opened, widened or extended, shall be permitted to remain thereon for such time as they may deem proper; and if the report shall be so approved, the owners thereof may continue the said buildings during the time designated.

Houses on line of streets may be allowed to remain.

SECTION 3. Whenever any report of viewers shall have been finally acted upon by councils, and approved by them, it shall be the duty of the clerk of select council to give notice of the fact by publication, in the papers authorized to do the city printing, for three days, and the action of councils in such case shall be final and conclusive, unless an appeal shall be filed in the court of quarter sessions within ten days after the first publication of said notice.

Duty of clerk of councils.

Appeal.

SECTION 4. Whenever an appeal shall be taken from any report of viewers, it shall be the duty of the appellant to file with his petition a clear and concise statement and specification of each and every ground of objection to said report, and upon hearing thereof all other objections shall be regarded as waived, and no other shall be considered unless other exceptions be filed by special leave of court; said appellant shall notify the city solicitor of the time of making the application, and furnish him with a copy of the petition and specification of objection. If, upon such application, the court shall be of opinion that the same should be considered, they shall direct the same to be filed, and that an order be issued to the clerks of councils, directing them to certify and return to the court all the papers and proceedings in the case; and thereupon said court shall take such action in the premises as they may think right and proper, and shall have power to approve, to modify, correct and approve said report, or to quash the proceedings, to appoint new viewers, or refer the proceedings to the same viewers, with like power to approve, to modify, correct and approve their report, or to quash the proceedings; and in all cases the court shall direct who shall pay the costs of the appeal.

Specifications of objections to be filed.

Notice to solicitor.

Court may correct, approve or modify report, or quash petition.

SECTION 5. All the proceedings in the matter of the grading,

paving and curbing of any street, lane or alley in said city, begun prior to the act of assembly approved first of April, Anno Domini one thousand eight hundred and seventy, entitled "An Act relative to streets in the city of Allegheny," the assessments for which had not been filed at the date of the approval thereof, shall be carried on and completed, as far as possible, in accordance with the provisions thereof, unless herein otherwise provided; and all proceedings in such cases had after the approval of said act, in accordance with the provisions thereof, are hereby legalized.

Proceedings relative to grading, paving, &c.

SECTION 6. That so much of said act, entitled "An Act relative to streets in city of Allegheny," approved first of April, Anno Domini one thousand eight hundred and seventy, as limits the time for the filing of assessments to within six months from the date of the completion of the improvements for which they were made, shall not apply to any assessment for any grading, paving or curbing done in said city, and completed before the passage of said act.

Portions of act relative to streets not applicable.

SECTION 7. That whenever a lien shall be filed by the city of Allegheny for any assessment made in pursuance of any act relative to streets in said city, and a *scire facias* issued thereon, it shall not be necessary to file an affidavit of claim, but judgment may be entered thereon upon two *nihilis*, or service in default of an appearance or sufficient affidavit of defence; and upon trial of any *scire facias*, the lien filed shall be *prima facie* evidence of the claim; and all matters necessary to sustain said claim, which are not denied by said affidavit of defence, shall be taken as admitted.

Proceedings on scire facias on liens.

SECTION 8. Whenever, by reason of the widening or straightening of any street, lane or alley, or part thereof, in said city, it shall be necessary to re-grade or re-pave the same, and the cost of the original grading or paving was paid by the property holders, it shall be the duty of said councils to refer the matter to three disinterested viewers, who shall inquire and report to councils whether the improvement is in whole or in part of benefit to the property abutting on said street, lane or alley, or part thereof, so widened or straightened, or to the city at large; and if they shall report that it is in whole or in part of benefit to the said property so abutting, they shall report the proportion to be paid by the same.

Re-grading and re-paving, relative to.

Viewers.

SECTION 9. When the viewers shall have reported to councils, the said councils shall have power to provide by ordinance for the re-grading or re-paving of said street, lane or alley, or part thereof, and that the cost and expenses thereof shall be assessed wholly or partly upon the property abutting on said street, lane or alley, or part thereof, so widened or straightened in accordance with said report: *Provided*, That whenever an ordinance for the re-grading or re-paving of any street, lane or alley, or part thereof, shall have been passed by councils, an appeal may be taken within ten days thereafter, in the same manner as from the assessment of viewers as hereinbefore provided; and all action upon said ordinance shall be suspended until the final order of the court thereon; and said court shall have power to direct such modifications of the action of councils as shall appear just and proper.

Councils may provide for re-grading on report of viewers.

Appeal.

Costs of re-grad-
ing, relative to.

SECTION 10. Whenever any street, lane or alley, or part thereof, shall have been re-graded or re-paved, under an ordinance, as provided for in the preceding section, the proportion of the cost and expense thereof which may be ordered to be paid by the property abutting on said street, lane or alley, so widened or straightened, shall be assessed along with the cost and expense of grading or paving the portion added by said widening or straightening, by the viewers appointed to inquire whether the same was of general or local benefit, or in case of the unavoidable absence or inability to attend, by other like disinterested persons, by an equal assessment on the foot front of the several properties abutting on said street, lane or alley, or part thereof, so widened or straightened.

Liens against
unknown
owners.

SECTION 11. That when a lien is filed against unknown owners, and a *scire facias* issued thereon, the notice to be given by the sheriff thereof shall be by posting a copy thereof on the premises, and advertising in one daily newspaper of said county once a week, for two weeks, a description of the lot, the amount assessed thereon, and for what purpose; and judgment may then be entered, as now provided by law, and a writ of *levari facias* issued and proceeded on as in other cases.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 929.

A Supplement

To an act, entitled "An Act for the assessment and levying a tax in Lehigh township, Northampton county, and Lowhill township, Lehigh county, for the payment of bounties," approved April eleventh, one thousand eight hundred and sixty-six.

Relative to per
capita tax and
compensation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That instead of the per capita tax fixed by the act, entitled "An Act for the assessment and levying a tax in Lehigh township, Northampton county, et cetera," approved April eleventh, Anno Domini one thousand eight hundred and sixty-six, the board of school directors of said township of Lehigh are hereby authorized to levy and collect such per capita tax

as they may see fit, not exceeding five dollars, and to pay for collecting bounty taxes such compensation as said board may prescribe or agree upon with the collector of such taxes.

SECTION 2. That if the moneys collected for bounty purposes exceed the bounty indebtedness of said township, with costs for collecting the same, such excess shall be placed in the treasury of said board, to be used for school purposes: *Provided*, That such excess shall not exceed five hundred dollars.

Excess of funds for bounty purposes to be given to schools
Proviso.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 930.

A Further Supplement

To an act, entitled "An Act to incorporate the Wellsboro' and Lawrenceville Railroad Company," approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any citizen of the United States resident therein shall be eligible to and is hereby authorized to hold, at the same time, the offices of president and director of the Wellsboro' and Lawrenceville Railroad Company.

Offices of president and directors.

SECTION 2. That for the protection of the owners of lands over which the said Wellsboro' and Lawrenceville Railroad Company have constructed or shall construct their railroad, or any branch thereof, where the same shall be used for running trains thereon, the said railroad company shall construct and keep in repair, or cause to be constructed and kept in repair, good and substantial fences, at least four feet high, along each side of the track of said railroad: *Provided*, That such fence shall not be required when the lands adjoining said railroad are unimproved or are used for public highways, nor where such railroad shall be so constructed that horses, cattle, sheep and swine cannot stray upon the track thereof.

To construct fences along sides of track.

Proviso.

SECTION 3. That if said railroad company shall neglect or refuse to comply with the second section of this act, then any owner of lands adjoining said railroad, his agent or attorney, after giving the president, any director, or superintendent of

Neglect to comply with second section, relative to.

said railroad company thirty days' notice, may, if said railroad company continue to neglect or refuse to build or keep in repair the fence required by this act, build the same upon the lands of such owner, and may sue for and recover from said railroad company, so neglecting or refusing, the actual cost of building or repairing such fence, in the same manner as debts of like amount are now by law recoverable.

Cost of additional fencing not to be taken into consideration in proceedings for damages.

SECTION 4. That in all suits, actions, appeals from the award of viewers or other proceedings in law now depending, or hereafter to be instituted or commenced in the court of common pleas of Tioga county, between the said Wellsboro' and Lawrenceville Railroad Company and any owner or owners of lands taken or occupied by said railroad company, for the purpose of ascertaining the amount of damages sustained by such owner or owners, by reason of the entering upon and taking of the lands of such owner or owners by said railroad company, the cost of additional necessary fencing upon the lands of such owner or owners shall not be taken into consideration.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 931.

A Supplement

To an act to incorporate the Washington Mutual Fire Insurance Company at Lebanon, Lebanon county, and state of Pennsylvania, approved the second day of April, Anno Domini one thousand eight hundred and sixty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the corporate powers of the said company shall be exercised by a board of twelve managers, and such officers and agents as they may appoint; that from and after the first Wednesday in January next, and on the same day of each year thereafter, the members of the said corporation, at their place of election for the election of a new board of managers, shall elect four new managers, who shall continue in office for three years; that four of the present managers, namely, Jacob Weidle, Simon J. Stine, George Hoffman and David E. Miller,

shall continue in office for two years, and four of the present managers, namely, Jacob Readle, Jacob Bomberger, Jacob C. Hauer and George Snavelly, shall continue in office for one year after the next annual election, and that five of said board of managers shall constitute a quorum for the transaction of business; all laws inconsistent herewith the same be and are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 932.

An Act

To limit the power and authority of the borough authorities of the borough of Emporium, in the county of Cameron, over the streets therein, and to authorize the setting out of shade trees along the streets.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,

That from and after the passage of this act it shall not be lawful for the authorities of the borough of Emporium, in the county of Cameron, in opening, grading or repairing streets in said borough, to grade, turnpike or break the ground nearer than fifteen feet to the line of the street, on all streets not less than eighty feet in width, nor nearer than eleven feet, on all streets not less than sixty, and under eighty feet in width, nor nearer than eight feet, on all streets not less than fifty and under sixty feet in width; and the spaces so reserved on each side of the street shall forever hereafter be used for the purposes of side-walks and setting out shade trees.

Regulations for opening, &c., of streets.

SECTION 2. It shall not hereafter be lawful for the authorities of said borough to build, or require to be built, any side or foot-walks on any of the said streets now or hereafter opened, so that the outer edge thereof shall be nearer the line of the street than twelve feet, where the street is eighty or more feet in width; than ten feet, when the streets are not less than sixty, and under eighty feet in width; than six feet, where the streets are not less than fifty feet, and under sixty feet in width: *Provided*, That on all streets where the people have already built their side-walks, nearer the line of the

Regulations for construction of side-walks.

Proviso.

street than the distance above stated, it shall not be lawful for the borough authorities to change the same, until requested so to do, by a petition signed by a majority of the persons owning land along such street: *And provided further*, That no person shall be compelled to move their side-walks to conform to the provisions of this act, until their present walk shall become so worn as to require the building of a new walk.

Proviso.

Residents may plant shade trees in front of their premises.

SECTION 3. It is hereby declared to be lawful for the residents of said borough to set out shade trees in front of their respective premises, on the inside of the side-walks, next to the line of the street, and outside of the walks within two feet of the outer line of the walks, as fixed by section second of this act.

Property owners adjoining streets, may build platforms, &c

Regulations.

SECTION 4. It is hereby declared to be lawful for the owners of land adjoining streets in said borough to build platforms, steps, stairs, cellar-ways, railings, and for the accommodation of their business and proper enjoyment of their property within the lines of the streets, as follows: On all streets not less than eighty feet in width, five feet into the street; on all streets not less than sixty feet, and under eighty feet in width, four feet into the street, and on all streets not less than fifty feet, and under sixty feet in width, three feet into the street.

Ordinances and regulations in force, modified.

SECTION 5. That all ordinances and regulations now in force in said borough are hereby modified so as to conform to the provisions of this act; and all side-walks not now actually built shall be built in conformity with the provisions of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 933.

An Act

Relative to collection of road tax in the township of North-East, in the county of Erie.

WHEREAS, The necessary expenses in keeping up and repairing the bridges in the township of North-East have overrun the amount of money authorized to be collected by the road commissioners of said township, so that the township is now in debt some fourteen hundred dollars, and other bridges require considerable outlay to make them safe for public use,

and the road commissioners have no authority by law to assess and collect money for such purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of North-East township, in the county of Erie, are hereby authorized to assess and collect, in money, in addition to the amount now authorized by law, an extra road tax, not exceeding one per centum per annum on the assessed valuation of all property assessed for county rates and levies, for the purpose of paying the existing debt, and for building and repairing bridges in said township.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 934.

An Act

Relative to licenses of vehicles and to the prosecution of disorderly persons in the borough of St. Clair, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act for the better prosecution of disorderly persons in the borough of Duquesne," approved the twelfth day of April, Anno Domini eighteen hundred and sixty-six, be and the same are hereby extended to the borough of St. Clair, in the county of Allegheny.

SECTION 2. That the provisions of an act, entitled "An Act relative to the licenses of vehicles in the cities of Pittsburg and Allegheny, and the boroughs of Birmingham, East Birmingham, South Pittsburg and Manchester," approved March thirtieth, Anno Domini one thousand eight hundred and sixty, be and the same are hereby extended to the borough of St. Clair, in the county of Allegheny.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 935.

An Act

To authorize the Pennsylvania Horticultural Society to issue bonds and secure the same by mortgage.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of officers of the Pennsylvania Horticultural Society, known as the directors of the Horticultural hall, are hereby authorized to issue bonds of the said Pennsylvania Horticultural Society, of a denomination of not less than one hundred dollars, to an amount not exceeding thirty thousand dollars, at a rate of interest not exceeding eight per centum per annum, with a provision for the payment of taxes, to secure the said bonds by a mortgage of the real estate of the said Pennsylvania Horticultural Society, in the city of Philadelphia, and to dispose of the said bonds in such way or manner and at such price as they may deem best.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 936.

An Act

Relative to the collection of borough taxes in the borough of Coatesville, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Taxes to be paid
to treasurer.

That all taxes assessed in the borough of Coatesville, in the county of Chester, for borough purposes, after the passage of this act, shall be paid to the treasurer of said borough, under the regulations hereinafter provided.

Burgess and
council to de-
liver duplicate.

SECTION 2. That it shall be the duty of the burgess and town council of said borough, immediately after the assess-

ment of taxes for borough purposes, in each year, to deliver a duplicate or schedule thereof to the treasurer of said borough.

SECTION 3. That it shall be the duty of the treasurer of said borough, after he shall receive the said duplicate or schedule, to give notice in one or more newspapers published in said borough, for three successive weeks, that he has received such duplicate or schedule, and is prepared to receive and receipt for the taxes therein charged.

Treasurer to give notice.

SECTION 4. That in case any taxes for borough purposes shall remain unpaid to the treasurer on the first day of January in each year, it shall be the duty of the said treasurer to make out a duplicate or schedule of all such unpaid taxes, with the names of the persons against whom the same are charged, and after adding ten per centum of the amount thereof to each tax, shall deliver the same to the constable, high constable or any citizen of said borough, together with his warrant for the collection of the same; and the said constable, high constable or other person, who may receive the said duplicate or schedule, is hereby invested with all the powers and authority for the collection of the said taxes, and the said addition of ten per centum, which are or may be vested in the collector of county rates and levies.

Ten per centum to be added to taxes unpaid on 1st January.

How collected.

SECTION 5. The said constable, high constable or other citizen, authorized as aforesaid, to collect such unpaid taxes, shall collect the same within three months after the receipt of the warrant therefor, and shall within the said time pay over the same as collected, to the treasurer of said borough; and in default of payment, the said collector shall be subject to all the laws relating to collectors of taxes who are delinquent.

Collector to pay over within three months

SECTION 6. The said treasurer, before delivering to the collector his warrant for the collection of the unpaid taxes, shall require from him a bond with such security as he shall approve, conditioned for the payment of the full amount of the taxes contained in the warrant and duplicate, (after deducting exonerations made by the borough authorities for mistakes, indigent persons, and other causes wherein exonerations are now by law allowed to collectors of taxes,) within three months after the delivery of such warrant as aforesaid.

Collector to give bond.

SECTION 7. The said collector shall receive for his compensation for collecting said taxes, the ten per centum added by the treasurer to the same, as aforesaid.

Compensation

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY,

No. 937.

An Act

To prevent cattle, horses, sheep and hogs from running at large in the township of Dyberry, in the county of Wayne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to prevent cattle, horses, sheep and hogs from running at large in Farmington and Columbus townships, Warren county." approved the fifteenth day of March, one thousand eight hundred and seventy, be and the same is hereby extended to the township of Dyberry, in Wayne county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 938.

An Act

To incorporate the Wilkesbarre Deposit and Savings Bank of Wilkesbarre.

Corporators.

Name.

Powers and privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joseph Lippincott, J. H. Swoyer, A. Grady, Thomas Long, C. L. Lamberton, Hanley Woodward, Christian Brahl, John M'Neish, Jr., W. W. Ketcham, A. J. Pringle and F. J. Helfrich, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name of the Wilkesbarre Deposit and Savings Bank, and by that name they shall be capable, by law, to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the cor-

poration, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of Wilkesbarre, county of Luzerne: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained. Misnomer.

SECTION 2. That the purpose of this act is to organize and incorporate a savings bank and loan company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money, not less than one dollar, and to transact any other business transacted by banks in this commonwealth, and to purchase and sell promissory notes and bills of exchange and other securities, at such rates as shall be agreed upon, and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state, and the laws of the same, within the said county of Luzerne: *Provided*, The said courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors, with interest, at such rates as may be fixed by the directors, in lawful money, national bank notes or notes of banks incorporated in this state, at par, in sums not less than one dollar, when required during business hours: *Provided*, That unless otherwise agreed, at the time of making the deposit, not more than twenty-five dollars shall be required to be paid to any one depositor upon any one day, unless written notice of the sum intended to be demanded shall have been given at least ten judicial days before the time when such payment is required to be made; that deposits by married women and minors may be repaid to them, and such re-payment, made upon their orders, checks or receipts, shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not, at any time, be subject to the claim or demand of, or payable to, the husband of said married women, or the guardian or parent of such minors. Purpose.
Business.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in the company incorporated, to raise and form a capital of three hundred thousand dollars, to be divided into shares of one hundred dollars, and paid in as shall be required by the board of directors; but one half thereof shall be paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof as they shall from time to time elect, to any amount not exceeding one million dollars: *Provided*, That the stockholders, at the time of such increase, shall each be entitled to a *pro rata* share of such increase, upon the payment of the par value thereof; said right to be forfeited if not availed of within ten days of the time fixed for the subscription, by public notice. Prohibition.
Payment of deposits.
Notice where amount exceeds \$25.
Deposits by married women and minors.
Capital to be raised for security of depositors.
Increase of capital.
Proviso.

Investment of funds.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth, or of the United States, or other stocks and bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

Form of certificates to depositors, mode of electing directors, &c.

SECTION 5. That the directors shall have power by their by-laws to prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe; but the whole number of directors shall at no time exceed eleven.

Meeting of corporators.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, within twelve months from the passage of this act, as a majority of them shall appoint, for the purpose or receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers eleven directors to manage the affairs of the said corporation; said directors shall choose from their own number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary; said directors and president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all of the rights, powers and privileges which are intended to be hereby given.

Purpose of meeting.

Officers.

Real estate.

SECTION 7. That the real estate which it shall be lawful for said corporation to hold shall be only such as is requisite for the accommodation and convenient transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise to secure debts due it.

Interest on deposits, rate of, &c.

SECTION 8. That the directors shall regulate and fix the rate of interest to be paid upon deposits; that interest shall not be allowed to any depositor until his deposits shall amount to one dollar; that interest shall be calculated by calendar months only, and no interest to be allowed for the fraction of a month.

Dividends.

SECTION 9. That it shall be the duty of the directors of said corporation to make and declare, out of the net proceeds and profits of the business of said corporation, from time to time, as shall be fixed by the by-laws, a dividend of so much thereof as they may deem best, and the same to pay over to the stockholders or legal representatives within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons, any deposit after the assets of the said corporation shall have become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and fifty per centum of its capital paid in, they shall become and be, and so long as said depreciation continues, shall remain, jointly and severally, personally liable to the depositors with and creditors of said corporation for any deficiencies existing to

them or either of them, after their remedies against the said corporation shall have become exhausted.

SECTION 10. That the shares of said corporation shall be transferable on its books, in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or by proxy, for each and every share of stock by said stockholder then owned; that if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay the same for a period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of the said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; that the books of said corporation shall at all times during business hours be kept open for the inspection of such agents as the legislature shall appoint for that purpose.

Shares transferable.

Votes.

Forfeiture of stock for non-payment.

SECTION 11. That the officers and agents of the said corporation, when entering upon the discharge of their duties, shall give bonds in such an amount as the directors shall fix, for their fidelity and good conduct, and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others, and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary.

Officers and agents to give security.

SECTION 12. That this charter shall continue for twenty years; but the legislature reserves the right to alter, revoke or annul the same at any when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the corporators: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth, in four equal annual instalments, a bonus of one-half of one per centum upon the capital stock paid in, the first payment to be made in one year from the date of the organization of the said corporation, and a like bonus upon any increase of capital that may be authorized by the directors, and paid in at any time thereafter, and such other taxes as are now or may hereafter be required by law.

Limitation.

Reservation.

Bonus and taxes

SECTION 13. The stockholders shall each be individually liable for the debts of said bank, in double the amount of the stock held by him.

Individual liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 939.

A Further Supplement

To an act to incorporate the Mount Pleasant and Broad Ford Railroad Company, approved the sixth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mount Pleasant and Broad Ford Railroad Company are hereby authorized to extend their railroad from Mount Pleasant to any point in the county of Westmoreland, and also from Broad Ford, to any point on the Monongahela river, in the county of Fayette; and for the purpose of such extension, the said company is hereby authorized to increase the capital stock thereof to one million dollars, according to the provisions of the third section of the act to which this is a supplement.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 940.

An Act

To appoint auditors to audit and settle the bounty accounts of the borough of White Haven, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That C. B. Kem, John R. Crellin and G. L. Halsey, are hereby by this act appointed auditors, whose duties shall be to examine, audit and adjust all the accounts of bounty taxes levied and collected, and moneys subscribed for bounty purposes in the borough of White Haven, in the county of Luzerne, with full power in either case to re-audit any former accounts heretofore audited by any other person or persons, so as to ascertain and render certain the whole amount of money levied,

Auditors appointed.

Their duties and powers.

collected and paid out and expended for bounty purposes in said borough, together with costs and expenses of the same.

SECTION 2. That the said auditors hereby appointed shall give full notice by printed handbills, for at least thirty days before the day fixed for their sitting, which day shall be so fixed by the majority of the afore-appointed auditors, who shall at all times constitute a quorum for the transaction of business, and they shall have the same power and authority to compel the attendance before them of parties and witnesses, and the production of books and papers, and to administer oaths and affirmations, as are by law given to county auditors; and the report of the said auditors so made by them shall be final and conclusive of all matters contained therein.

Notice of sitting.

Quorum.

Power to compel attendance of witnesses, &c.

Report.

SECTION 3. The report of the said auditors shall be printed and distributed among the tax-payers of the aforesaid borough of White Haven, and the expenses of such printing shall be paid by the treasurer of said borough of White Haven out of any moneys in his hands.

To be printed and distributed.

SECTION 4. That the compensation of said auditors shall be two dollars and a half per diem, to be paid by the treasurer of said borough out of any moneys in his hands.

Compensation.

SECTION 5. All acts inconsistent with this act are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 941.

An Act

To incorporate the Butler Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M. Thompson, William Campbell, Hugh Morrison, James Bredin, James B. Story, Adam Troutman, Moses Sullivan, Gabriel Etzell, William Vogeley, Samuel Marshall, William O. Brackenridge, E. A. Helmbold, Dr. Josiah M'Candless, H. J. Berg, Wm. G. Stoughton, Martin Reiber, George Reiber (miller), Wm. Dick, H. C. Heineman, and all other persons now partners doing business as private bankers in the borough of Butler, under the name of the Butler Savings Bank, be and

Corporators.

are hereby created a body corporate, under said name, style and title of the Butler Savings Bank, and under such name may sue and be sued, use a common seal, and do such acts as may be necessary to carry on the business of a discount and deposit bank and savings institution, and shall have succession for a period of twenty years.

Name.
Powers and privileges.

Transaction of business. SECTION 2. The business of said bank may be carried on under its present organization, until the next regular election of a president and directors according to the by-laws.

Increase of capital stock, authorized. SECTION 3. The said corporators be and are hereby authorized to increase the capital of said bank to one hundred thousand dollars, to be divided into shares, and to be subscribed and paid for under such limitations and restrictions as the corporators, or a majority of them, may direct.

Additional powers and privileges. SECTION 4. The said corporation shall have the same powers and privileges as are granted to the Harmony Savings Bank, in said county, by the second section of an act, approved April twenty-fourth, one thousand eight hundred and sixty-seven, incorporating said bank, except as to interest on loans, which shall not exceed the legal rate.

By-laws. SECTION 5. The said corporators and their successors may from time to time make, alter and change such by-laws, not inconsistent with the laws of this commonwealth, as may be needed to complete and continue the organization, transact the business, regulate the transfers of stock in said bank, payment of dividends, et cetera.

Real estate. SECTION 6. The said corporation may hold such real estate as may be necessary for the accommodation and convenient transaction of their business, and such as it may be necessary to purchase at judicial sales, or otherwise, to secure debts due to them.

Liability of stockholders. SECTION 7. Each stockholder shall be individually liable for the debts and liabilities of said corporation, to the extent of double the amount of the capital stock subscribed and held by said stockholders respectively.

Bonus. SECTION 8. The bank shall pay to the state treasurer a bonus of one-quarter of one per centum on the sum required to be paid upon organization, in four equal annual instalments, the first payment to be made in one year after payment of the capital stock shall have been made; and in addition to such bonus, shall pay a tax on dividends exceeding six per centum per annum, as is or may be imposed by law.

Tax on dividends.

Reservation. SECTION 9. The legislature reserves the power to alter, revoke or annul this charter whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 942.

An Act

To revoke the charter of the Primrose Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter incorporating the Primrose Coal Company, a corporation created by and under the provisions of the act of assembly approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, entitled "An Act to enable joint tenants, tenants in common and adjoining owners, et cetera," (letters patent having issued to said corporation, February first, one thousand eight hundred and sixty-eight,) be and the same is hereby revoked and annulled.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 943.

An Act

To regulate medical practice in the county of Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the first day of June, Anno Domini one thousand eight hundred and seventy-one, it shall be unlawful for any person to commence or continue the practice of medicine or surgery in the county of Northumberland, who has not graduated with the degree of doctor of medicine, and received a diploma from a chartered medical college or other institution authorized to grant diplomas: *Provided*, That the provisions of this section shall not apply to persons who have been seven years in continuous regular practice, though they may not have graduated as aforesaid, nor to persons who are

Who may practice medicine or surgery.

reading under the instruction of a physician or surgeon, who has the qualification to practice prescribed by this section, when such person has the assent of such preceptor to practice.

Penalty for practicing in violation of act.

SECTION 2. Any person who shall practice or attempt to practice medicine or surgery, or who shall prescribe for any sick person, or perform any surgical operation for fee or reward, in violation of this act, shall be deemed guilty of a misdemeanor, and upon conviction in any court of competent jurisdiction, shall be fined in any sum not less than twenty dollars, nor more than five hundred dollars, at the discretion of the court; one-half of said fine to be for the use of the county in which such fine shall be imposed.

Transient practice, regulated.

SECTION 3. Any person who shall attempt to practice medicine or surgery by opening a transient office in the county aforesaid, or who shall, by handbill or other form of written or printed advertisement, assign such transient office or other place to meet persons seeking medical or surgical advice or prescription, shall, before being allowed to practice as aforesaid, appear before the clerk of the court of said county, and shall furnish satisfactory evidence to such clerk of the court that the provisions of section one of this act have been complied with, and shall, in addition, take out a license for one year, by payment of a license fee for the use of the proper county, of fifty dollars: *Provided*, That the provisions of this act shall not apply to druggists or dentists: *And provided further*, That physicians commencing practice in the county aforesaid, with the intention of residing permanently therein, shall not be subject to the provisions of section three of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 944.

An Act

To define and extend the boundaries of the borough of Mifflinburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act the boundaries of the borough of Mifflinburg, in the county of Union, shall be

and the same are hereby enlarged and extended so that the territory hereinafter described shall constitute the limits of said borough, to wit: Beginning in centre of state road, et cetera, on lands of Jacob Kloss; thence south seventy-eight degrees west forty-eight perches, in centre of public road to a white oak tree; thence north-west nineteen degrees eighty-four perches; thence south seventy-eight west thirty-eight perches, upon lands of Smith's heirs; thence due north thirty perches to centre of pike; thence due north four hundred and twenty perches, to public road on lands of Emanuel Kleckner; thence north seventy-nine east one hundred and seventeen perches, to a post on line between Samuel Getgen and David Foust, south eighty-two east one hundred and forty-two perches, to land of William Hoffman's heirs; thence south one hundred and sixty-four perches, to centre of Lewisburg and Mifflinburg pike; thence by lands of Beneville Spots, C. Pellman and others, south one hundred and sixty-one perches, to land of George Mader; thence south seventy-eight degrees west two hundred and seventy-two perches, to place of beginning.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 945.

An Act

Relating to the borough of East Conemaugh, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next election held for borough officers in the borough of East Conemaugh, in the county of Cambria, it shall be lawful for the qualified electors of said borough to elect six members of the town council, two to serve for one year, two to serve for two years, and two to serve for three years; and at each annual election thereafter the electors of said borough shall elect two members of the town council to serve for three years.

Election of council, relative to.

SECTION 2. That from and after the passage of this act the boundaries of said borough of East Conemaugh shall be as follows: Beginning at a point in the Conemaugh river; thence

Boundaries of borough, fixed.

by said river south fifty-two degrees east one hundred and twenty-six perches to a rock; north seventy-five degrees east sixty perches to a willow; north thirty-five degrees east eighty-eight perches to a spruce; north eight degrees east thirty-two perches to a sycamore; north ten degrees east eighty perches; north twenty-one degrees west eight and a fourth perches; thence south sixty degrees west one hundred and ten perches to a white oak; south thirty-one degrees west one hundred and thirty-three perches to a beech; south twenty degrees west seventy-two perches to a sugar; south thirty degrees west fifty-two perches to the place of beginning.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 946.

An Act

To authorize the Danville, Hazleton and Wilkesbarre Railroad Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Danville, Hazleton and Wilkesbarre Railroad Company shall be authorized to borrow a sum of money, not exceeding five hundred thousand dollars, at a rate of interest not exceeding seven per centum, for the purpose of equipping their road and putting the same in operation, and to issue second mortgage bonds for such loan, secured upon the whole or any part of their road and improvements: *Provided,* That no bond issued shall be for a less sum than one hundred dollars.

Company may borrow money and issue bonds.

SECTION 2. That the board of directors may call a meeting of the stockholders, for the purpose of converting the said second mortgage bonds into the capital stock of the said company, at any time; and if a majority of the stock so held shall vote to convert the said bonds or any amount of them into the capital stock of the said company, they may so agree, and upon the surrender of such mortgage bonds the treasurer may issue the stock as aforesaid.

Conversion of bonds into stock, relative to.

SECTION 3. It shall be lawful for the president, or any other officer of said company, to contract to furnish any iron or

Officers may contract to furnish iron.

other material for the said road, and to receive in compensation therefor stock or bonds in the said road: *Provided*, The board of directors shall agree to such contract, by resolution, at a formal meeting of the board; any act or acts inconsistent herewith be and the same are hereby repealed.

Proviso.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 947.

An Act

Supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia, approved March twenty-fourth, one thousand eight hundred and sixty-five, and to extend the boundaries of the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the boundaries for the manufacture and the storage of petroleum, benzine, benzole or naphtha, be and are hereby extended north to Moore street, between Twenty-fourth street and Twenty-fifth street, in the Twenty-sixth ward of the city of Philadelphia; all acts to the contrary notwithstanding are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 948.

An Act

To authorize the Commonwealth Improvement Company to classify and reduce their capital stock and to dispose of securities.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said the Commonwealth Improvement Company, organized under an act, entitled "An Act to incorporate the Germantown Cottage Company," approved the first day of May, Anno Domini one thousand eight hundred and sixty-six, and the several supplements thereto, is hereby authorized to create from time to time, preferred stock or to convert common stock into preferred stock, and to issue certificates of stock thus classified, representing their property, of whatever kind, and their business, and such works, structures and improvement, public or private, of whatever kind, as they may construct, own, use, control or in any wise be interested in; which stock or stocks shall be subject to such rules and regulations as may be prescribed by the said company, and may be sold at the par value of the shares thereof, or at such prices as may be deemed advisable, and shall not be liable to further or future calls or assessments, and the said company may, from time to time reduce their capital stock; it shall be lawful also for the said company to make investments in, and the sales and disposal of the securities of corporations, of individuals and of firms, as well as of their own bonds and obligations, at such prices and on such terms as may be deemed advisable; and the said company may locate its offices wherever the business of the company is carried on.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 949.

An Act

To incorporate the Hazleton Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles F. Hill, William R. Longshore, Gottlob Ulmer, Thomas G. Evans, Thomas W. Williamson, Richard Smith, Thomas J. Hill and William B. Freas, together with such other persons as shall become stockholders in the said bank, shall be and are hereby created a corporation and body politic, by the name and style of the Hazleton Savings Bank, and shall so continue until the first day of January, Anno Domini one thousand eight hundred and ninety-one, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, and by that name are hereby made able and capable to transact a banking and discounting business, and to have, purchase, receive, possess, enjoy and retain, to them and their successors, such real estate as may be necessary for the transaction of their business, together with such as may be held by said bank as security for debts, or in satisfaction thereof, and the same to grant, mortgage or demise; also to make, use and have a common seal, and the same to alter or renew at pleasure, and to establish and put in execution all such by-laws and regulations as they shall deem necessary for governing and regulating said bank, not inconsistent with the constitution or laws of this state, or of the United States.

Corporators.

Name.

Limitation.

Powers and privileges.

SECTION 2. That it shall be lawful for the said bank to receive deposits of money, from individuals or corporations, and to allow interest for money so received, as may be agreed upon between said bank and said depositors, to loan out the same, together with any other moneys they may have, by discounting or purchasing negotiable notes, drafts and bills of exchange, or otherwise, and to issue certificates or other assurance for said deposits.

Banking privileges.

SECTION 3. That it shall become lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agent of charitable and religious institutions and corporations, and to become the depository of trust funds, and to give such security as may be agreed upon or prescribed.

Financial agent

SECTION 4. It shall be lawful for said bank to borrow money, but not in excess of its capital stock subscribed, and to secure the same by mortgage on its real or personal property, or pledge of stock or bonds, or otherwise, and on such time as a majority of the directors may deem expedient.

May borrow money.

SECTION 5. That the capital stock of said bank shall be fifty thousand dollars, with the right to increase the same to three

Capital.

hundred thousand dollars, to be divided into shares of fifty dollars each, which shall be paid in such instalments as the said bank may direct in its by-laws: *Provided*, That one-half of the capital stock authorized shall be subscribed, and fifty per centum paid, before the said corporation shall commence business.

When business may be commenced.

Management.

Cashier and other officers.

All officers to give security.

Office.

Organization.

Votes.

Vacancies.

May receive moneys under control of courts

May execute trusts for married women.

Deposits by married women and minors.

Increase of stock.

Forfeiture.

SECTION 6. That the affairs of said bank shall be conducted by a president and five directors, to be chosen as hereinafter provided; that the said president and directors, or a majority of them, shall elect a cashier and such other officers as they may deem necessary, and fix the compensation for the same; and all officers shall give bonds, with good sureties, in such sums as may be required by said board, for the performance of their several duties; and the said board of directors may elect out of their number one person to act as vice president.

SECTION 7. That said bank shall keep its office in some suitable place in the borough of Hazleton, in Luzerne county; and after the acceptance of this charter, on some day to be designated by a majority of the corporators, and on the third Monday of January annually thereafter, after two weeks' previous notice, the stockholders shall convene at the office of the bank and by ballot elect five persons for directors, who shall continue in office one year; the said directors, at their first meeting, shall organize, and elect one person for president, and if they deem proper, one person for vice president, who shall hold their office for one year and until their successors are duly qualified; each stockholder shall be entitled to one vote for each share of stock held by him: *Provided*, That no person shall be a president, vice president or director of said bank who is not a stockholder therein; and that all vacancies occasioned by death, resignation or refusal to serve shall be supplied in such manner as said bank may by its by-laws direct.

SECTION 8. That the said bank may become the depository, and receive all trust and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same; to accept from and execute trusts for married women in respect to their separate property, whether real or personal, and act as agents for them in the management of such property; and to receive the deposits of married women and minors, and to repay the same upon their orders, checks or receipts, which shall discharge the said corporation from any further claims for the same; and deposits so made by married women and minors shall not at any time be subject to the claim or demand of, or be payable to the husband of said married woman or to the parent or guardian of such minor.

SECTION 9. That any increase of stock authorized hereby shall be made *pro rata* to and among the stockholders, after such proposition to increase shall first have been submitted to and be approved by a majority of the stockholders: *Provided*, That if any stockholder neglects or refuses, for the term of ten days after receiving notice of such increase, to subscribe and pay as may be required for such *pro rata* increase, then the same may be declared forfeited by the board of directors.

SECTION 10. That interest shall not be allowed to any de-

positor until his deposit shall amount to three dollars, and that interest shall be calculated by calendar months only, and no interest to be allowed for fractions of months.

SECTION 11. That dividends may be declared semi-annually or otherwise out of the net proceeds and profits of the business of said corporation: *Provided*, That if the directors shall declare and pay any dividend, from any source whatever, other than the net profits and gains of the business of the said corporation, or shall receive from any person or persons any deposit, after the assets of said corporation shall have become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and fifty per centum of the capital paid in, and they shall become and be, so long as said depreciation continues, jointly and severally personally liable to the depositors with and creditors of said corporation for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

SECTION 12. It shall and may be lawful for any court of this commonwealth, and for any person or persons, or bodies politic or corporate, by deed, will or otherwise, to make, constitute and appoint said corporation, with the consent of the same, a trustee, assignee, guardian of the estate of minor children, committee of lunatic or receiver, and to be allowed like compensation for the execution of such trusts as would by law be allowed to individuals, and such as may be agreed upon before accepting the same; and the said corporation is furthermore empowered to accept such appointment, and act as executor or administrator of any deceased testator or intestate; and letters testamentary and of administration may be issued by the register of wills of the proper counties to it for such appointment as said corporation may accept, without bond or surety, and that in lieu thereof, the capital stock of said bank shall be taken as the security proper in such cases.

SECTION 13. That said bank not being a bank of issue, shall not be subject to the restrictions provided in section seventeen of an act, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and section first of an act, entitled "A further supplement to an act regulating banks," approved April twenty-second, Anno Domini one thousand eight hundred and fifty-four.

SECTION 14. The legislature hereby reserves the power to alter, revoke and annul the said bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the stockholders: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

SECTION 15. That unless otherwise agreed at the time of making the deposit, not more than twenty-five dollars shall be required to be paid to any one depositor upon any one day, unless written notice of the same intended to be demanded shall have been given at least ten judicial days before the time when such payment is required to be made.

Individual liability.

SECTION 16. That the stockholders shall be individually liable in double the amount of the capital stock held by them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 950.

An Act

To incorporate the Quaker City Bank.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Adam F. Sturges, Franklin A. Miller, John Kerr, Charles J. M^cAllister, George W. Baugh, James B. Alvord and John C. Hines, and their assigns, associates and successors, shall be and they are hereby created a body politic and corporate, by the name, style and title of the Quaker City Bank, to be located in the city of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, may renew or alter the same, also may have the right to have and hold real estate, and improve and dispose of the same at pleasure.
- SECTION 2.** The capital stock of said bank shall consist of one thousand shares of the value of one hundred dollars each, with the privilege of increasing the same from time to time, by a vote of the directors, to five thousand shares, of like value per share; and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided,* That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best; it shall be lawful for any corporation created by or under the laws of this commonwealth to subscribe for the capital stock of said bank.
- SECTION 3.** The incorporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such time and place as they may deem expedient; and when said one thousand shares of stock shall have been
- Corporators.
- Name.
- Location.
- Powers and privileges.
- Capital.
- Increase.
- Disposition of new stock.
- Subscriptions to stock.

subscribed, and forty per centum thereon paid in, the shareholders may elect a board of seven directors, to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve to be filled by the board.

Election of directors.

Vacancies.

SECTION 4. The said bank shall have power to borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust, or as collateral security for loans, or advance or discount, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market in the world, without proceedings in law or equity, and for such price and for such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Banking privileges.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of this state or of the United States, and shall have power to require payments of any amount remaining unpaid upon the stock of the said bank, at such times and in such proportions as they may think proper, and after thirty days' notice, under penalty in case of non-payment as required of forfeiture to the bank of such stock and all previous payments thereon.

By-laws.

Forfeiture of stock for non-payment.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and borrowers.

Additional privileges.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as treasurer and financial agent of corporations, as financial agent of the state of Pennsylvania and other states, of city governments and counties and districts in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of the duties if required.

Financial agent

SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may seem proper.

Dividends.

SECTION 9. The annual election for directors shall be on the first Monday of June in each year, unless changed by the by-laws of the bank; the directors shall have power to elect a president, cashier and all other officers and agents they may deem necessary for conducting the business of the bank; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said

Annual elections.

Votes.

- Notice of election. proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice by publication, in three of the city daily papers, shall be given of the time or place when such election will be held, and said election shall be conducted according to the by-laws
- Bonus and taxes SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.
- Liability of stockholders. SECTION 11. That the stockholders shall be personally liable to double the amount of stock held by them severally; and this charter shall continue for twenty years.
- Right to revoke charter. SECTION 12. The legislature hereby reserves the right to alter, revoke or annul the said bank, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner however, that no injustice shall be done to the stockholders.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 951.

An Act

To validate the probate of the deed of Augustus and Sarah Ann Colson, to John Reynolds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the probate of the deed of Augustus and Sarah Ann Colson, to John Reynolds, dated January, one thousand eight hundred and thirty-six, and recorded in deed book V, page three hundred and sixty-three and three hundred and sixty-four, in the recorder's office of Crawford county, for the undivided interest, being the one-sixth of the said Sarah, in the estate of her deceased father, Thomas R. Kennedy, be taken and held as valid as if the deed had been duly acknowledged by the said Augustus and Sarah.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 952.

An Act

Supplementing the charter of the Woods Run Savings Fund and Loan Association of the county of Allegheny.

WHEREAS, The Woods Run Savings Fund and Loan Association of Allegheny county was incorporated and made a body politic in law, by the court of common pleas of Allegheny county, at number nine hundred and sixty-one, of March term, one thousand eight hundred and seventy-one, under the acts of assembly giving the courts of this commonwealth power to erect saving fund societies and building associations into corporations, and of which said charter the following is a correct copy, to wit:

Preamble.

“CHARTER OF THE WOODS RUN SAVINGS FUND AND LOAN ASSOCIATION OF ALLEGHENY COUNTY.

Charter.

“SECTION 1. This association shall be known as the Woods Run Savings Fund and Loan Association of Allegheny county.

Name.

“SECTION 2. That the association may hold, possess and enjoy, in fee simple or otherwise, any real estate, situate in the county of Allegheny, and shall have full power from time to time to sell, grant, lease, convey or mortgage the same to any person or persons whatsoever, in fee simple or otherwise, subject, however, to the conditions and restrictions contained in the acts of assembly relating to the incorporation of savings banks and building and loan associations.

Powers and privileges.

“SECTION 3. That the association shall have power to erect houses, and to contract for the erection, building and finishing houses, either singly or in blocks or rows.

May erect houses, &c.

“SECTION 4. The capital stock shall consist of fifteen hundred shares, of the par value of one hundred dollars each.

Capital.

“SECTION 5. All loans shall be made on bond and mortgage: *Provided*, That no money shall be loaned without the approval and consent of the board of directors.

Loans.

“SECTION 6. The association shall have a board of directors, nine in number, to be elected annually by the stockholders, and each stockholder shall be entitled to a vote for each share of stock he shall hold, and any stockholder may, by written proxy, constitute any other stockholder to cast his vote or votes for him.

Management.

Votes.

“SECTION 7. The association shall have power to elect such other officers as by their by-laws they may deem requisite.

Officers.

“SECTION 8. The association shall have power to enact by-laws for the government of the corporation: *Provided*, That they are not contrary to the constitution and laws of this commonwealth or of the United States, or in contravention of the provisions of this charter.

By-laws.

“SECTION 9. The president and secretary of this association shall, on or before the first Monday in January in each

Annual report to be made to court.

and every year, make a correct and true report and exhibit, under oath, to the court of common pleas of Allegheny county, of the status of the corporation, the location and value of real estate and mortgage by them held, and the location and value of the property, if any sold by them during the year preceding, the amount of cash on hand belonging to the association, and their debts and liabilities; which said report shall be placed on file in the prothonotary's office, and remain there for public inspection, subject to exception within thirty days, by any stockholder or person directly interested; and if the same shall be excepted to, it shall be the duty of the said officers to appear and answer under oath in open court, any and all proper questions which may be put to them concerning the report thus excepted to:"

Exceptions to report.

And whereas, The said corporation has been organized under said charter, and are now desirous of possessing certain additional rights, powers and franchises, which the court had not the power under the laws to grant; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Woods Run Savings Fund and Loan Association of Allegheny county, as granted by the court of common pleas of Allegheny county, at number nine hundred and sixty-one, of March term, Anno Domini one thousand eight hundred and seventy-one, recorded in the recorder's office of said county, in charter book, volume three (3,) page three hundred and twenty-four (324,) is hereby validated and confirmed, except as hereinafter repealed; and the said the Woods Run Savings Fund and Loan Association of Allegheny county is hereby declared to be a corporation and body politic in law, and to be possessed of all and singular the rights, incidents and franchises of a corporation.

Charter validated.

SECTION 2. That the second section of their charter, as granted by the court, is hereby repealed, and in lieu thereof the following is substituted, viz: The said association may hold, possess and enjoy, to them and their successors, any real estate in the county of Allegheny, in fee simple or otherwise, not exceeding five hundred thousand dollars in cash value, and may from time to time sell, grant, demise, alien, lease or dispose of the same or any part thereof, in fee simple, or for any less estate, and accept liens by mortgage or judgment for any portion of the purchase money due thereon.

Second section, repealed.

Association may hold real estate.

SECTION 3. That section four of the charter, as granted by the court, is hereby repealed, and in lieu thereof the following is substituted, viz: The capital stock of the association shall be one hundred and fifty thousand dollars, in shares of one hundred dollars each, with the privilege of increasing the same to any sum not exceeding two hundred and fifty thousand dollars, at any time, by a vote of the stockholders, at a meeting called for the purpose.

Section four, repealed.

Capital.

SECTION 4. That said corporation may receive money on deposit, for which interest shall be allowed at such rates as the by-laws may provide, not exceeding six per centum per annum; and to secure the depositors from loss, the money so

May receive money on deposit.

deposited shall be considered a first lien upon all the realty, property and effects of said corporation: *Provided however*, That the president of the corporation may, by order of the board of directors or a majority thereof, sell and convey any or all realty, and satisfy or assign any or all mortgages owned by the corporation, in the due and regular course of business, *bona fide*; and such sale and satisfaction shall divest and discharge any lien that depositors may have.

Deposits a lien

Proviso.

SECTION 5. The said corporation may loan money on good real estate security, bond and mortgage, bonds or other security of the state of Pennsylvania or of the United States, or other good and sufficient security at legal rates of interest: *Provided*, That said association shall not have discounting privileges, or in any way deal in commercial paper, except where the same shall have been left by a depositor for collection.

Loans.

No discounting privileges.

SECTION 6. That the capital stock and moneys left on deposit shall be used and loaned as aforesaid, and invested in purchasing ground in fee, and erecting thereon dwelling houses, stores and other buildings as shall be considered judicious and safe investments; and in selling or disposing of any of their improved property, the hand money shall in no case be less than one-fourth of the cost of the ground, building and improvements, and the residue of the purchase money shall be secured to the stockholders and depositors by first bond and mortgage on the property so sold, and payable in such sum or sums, at such time or times, as the board of directors may determine.

Investment of capital and deposits.

SECTION 7. The directors of said corporation shall be elected annually on the first Monday in January in each year, between the hours of nine A. M. and three P. M., and the directors so elected, shall appoint from their own number, one person to serve as president, and such other officers and agents as they may deem necessary for conducting the business of said corporation; in case of the death or resignation of a director, the vacancy so occasioned thereby shall be filled by the remaining directors.

Annual election of directors.

Officers and agents.

Vacancies.

SECTION 8. The stockholders shall be entitled, at the election for directors of said corporation, to one vote for each share of stock by them held, and may vote in person or by a written proxy; but said proxy must be dated within six months of and five days prior to the election for which said proxy was given; five days' notice by publication shall be given, in one of the city papers, of the time and place where such election will be held, and such election shall be conducted in accordance with the by-laws; no stockholder shall be entitled to vote unless the share or shares have been standing in his or her name on the books of the company for thirty days previous to said election, nor unless the whole sum due and payable on the share or shares by him or her held, at the time of such election, shall have been fully paid and discharged.

Votes.

Notice of election.

SECTION 9. That the board of directors shall have power to pay, on application, the check, proper receipt or order, of any minor or married woman, such money or any part thereof as he or she may have deposited to his or her credit, or any in-

Payment of deposits, &c., to minors or married women.

terest or dividend accruing thereon, without the assent or approval of the parent or guardian of such minor, or the husband or creditors of the husband of such married women, to attach or in any manner interfere with any deposit, interest or dividend due thereon to such minor or married woman.

Dividends.

SECTION 10. That the board of directors of said corporation may from time to time, as in their judgment may seem fit, declare and divide dividends out of the net profits of said corporation, over and above all expenses, and pay the same to their stockholders: *Provided*, That no dividend shall be so declared that in anywise impairs the capital stock of said corporation, which is to remain intact during the continuance of this charter as an additional security to depositors.

Place of business.

SECTION 11. That the corporation shall open an office in the county of Allegheny, and keep regular and accurate accounts in books kept for that purpose, subject to inspection, during business hours, by any of the directors.

Directors may require payment of subscriptions to stock.

SECTION 12. That the board of directors may require the stockholders to pay in their subscription to the capital stock of said corporation, in such instalments, and at such time or times as they may deem best: *Provided*, That the entire amount of any subscription shall not be called in before the expiration of two years from the first day of July, one thousand eight hundred and seventy-one.

Right to revoke charter.

SECTION 13. The legislature reserves the right to repeal this supplement at any time after the expiration of twenty years from the date hereof.

Liability of stockholders.

SECTION 14. The stockholders shall be individually liable to the depositors in double the amount of stock held by them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 953.

An Act

To divorce Maria Virginia Drouin from her husband, George Arthur Drouin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the marriage contract entered into between George Arthur Drouin and Maria Virginia Drouin, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom, as fully and absolutely as if they had never been joined in marriage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 954.

An Act

Granting a pension to Henry Fix.

WHEREAS, Henry Fix, a private in company I, commanded by Captain F. S. Boas, in the Twentieth regiment, Pennsylvania militia, commanded by Colonel W. B. Thomas, called out by the proclamation of the governor, dated the tenth day of September, Anno Domini one thousand eight hundred and sixty-two, while with his company and regiment on the railroad train from Greencastle to Harrisburg, in consequence of a collision of cars had his left side badly mutilated, and sustained such internal injuries as to cause a partial paralysis of his whole left side, making his left arm entirely useless for purposes of manual labor, and crippling his left foot so that he can scarcely walk, injuring him for life to such an extent as to make him unable to support himself and family; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby directed to place the name of Henry Fix on the list of pensioners, at the rate of eight (8) dollars per month, from the first of January, one thousand eight hundred and seventy, and to continue for and during the term of his natural life.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 955.

An Act

To empower the school directors of the borough of Millersburg, in the county of Dauphin, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the school directors of the borough of Millersburg, in the county of Dauphin, to borrow any sum of money, not exceeding ten thousand dollars, at a rate of interest not exceeding seven per centum per annum, to be applied to the erection of a new school building in said borough, and to give the lenders thereof transferable bonds therefor, in sums not less than one hundred nor more than one thousand dollars, payable within ten years from the first of July next, with coupons attached thereto, for the payment of the interest which shall fall due thereon, payable to the bearer thereof half-yearly, on the first day of January and July in each and every year; the said bonds in the hands of the holders shall at all times be clear and discharged from all taxes and assessments, except for state purposes, and may be assigned from time to time by the holders thereof by endorsement thereon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 956.

A Supplement

To an act, entitled "An Act to incorporate the Scranton Law and Library Association in the city of Scranton," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That one-quarter, and no more, of all fines and penalties im-

posed, or hereafter to be imposed, by the several courts of the city of Scranton, which, under existing laws, are not payable to the commonwealth for its use, which would otherwise be escheated into the treasury of the city of Scranton, arising from fines imposed and recognizances forfeited in the courts thereof, are hereby authorized and directed to be collected by the said association, and paid into the hands of its treasurer, to be expended in the purchase and maintenance of a law library, under the direction of the recorder of the mayor's court for the city of Scranton, and of the executive committee of said association.

One-fourth of fines, &c., to be paid to law library association.

SECTION 2. That the marshal of the city of Scranton is hereby authorized and required to pay one-third of all said fines and penalties hereinbefore specified, by him collected, to the attorney or treasurer of said association.

Fines collected by marshal.

SECTION 3. That the marshal of the city of Scranton shall, in addition to the fees now granted him by law, be entitled to and shall receive one-tenth of all the fines and penalties by him collected as aforesaid.

Additional fees to marshal.

SECTION 4. That all acts or parts of acts inconsistent herewith be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 957.

An Act

Regulating the assessment of seated lands where county lines divide.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the assessors of the several counties within this commonwealth shall on seated lands make the assessment in the county in which the mansion house is situate, where county lines divide a tract of land: *Provided,* That the provisions of this act shall only apply to the counties of Cumberland and Franklin.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 958.

An Act

Supplementary to an act to incorporate the Federal Insurance Company of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Federal Insurance Company of Allegheny shall have power, at any regular election hereafter, to elect twelve or more directors for the proper management of the affairs of said company; and until the next annual election, it shall be lawful for the present board of directors to add to their number so as to make their number twelve.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 959.

A Supplement

To an act, entitled "An Act relating to liens of mechanics, materialmen and laborers upon leasehold estates and property thereon, in the county of Venango," approved the eighth day of April, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first and second sections of the act to which this is a supplement, be and the same are hereby extended so as to include all material furnished and work done for pumping and producing of oil.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 960.

An Act

To authorize the common council of Harrisburg to make an appropriation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the common council of the city of Harrisburg be and is hereby authorized and empowered to include in its appropriation for annual municipal expenses, a sum sufficient to liquidate the expenditures incurred by a committee of its council, in extending its municipal hospitality to Andrew Johnson, Ulysses S. Grant, David S. Farragut, and other persons eminent in the public service; said appropriation to include principal and interest, and to be settled as other accounts of said city are under its charter and supplements thereto.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 961.

An Act

Relative to the opening and grading of Wylie avenue, from Kirkpatrick street to Herron avenue.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Pittsburg are hereby authorized and empowered, by ordinance, to open and grade Wylie avenue, from Kirkpatrick street to Herron avenue, in said city, preserving its present width, and in as nearly a straight line as practicable from its present terminus, according to a plan to be approved by councils, and to appoint in the said ordinance three disinterested freeholders as viewers to view and assess damages and benefits on the opening of said street; and the said viewers shall proceed in the same manner

as prescribed in the general road laws of this commonwealth; and all laws and parts of laws relative to the opening and grading of streets in said city, inconsistent herewith, are hereby repealed, so far as regards that portion of Wylie avenue hereby intended to be opened and graded.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 962.

An Act

To authorize the school directors of the borough of Shenandoah, in the county of Schuylkill, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the common schools in and for the district of the borough of Shenandoah, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow money for and towards the erection of a school house or houses in said district, not exceeding the sum of fifteen thousand dollars, and to issue therefor, on the credit of the district, a bond or bonds of not less than one hundred dollars each, bearing interest at a rate not exceeding eight per centum per annum, exempt from taxation except for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 963.

An Act

To incorporate the Soldiers' Monumental Fund Association of the city of Scranton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. A. Price, Col. Wm. N. Moomis, A. B. Stevens, A. R. Raub, Fred. J. Amsdon, Fred. Fuller, Col. J. W. Gregory, J. T. Howe, C. E. Updegraff, James Bradshaw, Spencer W. Wilson, George F. Millet, J. A. Clark, and such other persons as may be associated with them, and their successors, be and the same are hereby enacted into a body corporate and politic, by the name and style of the Soldiers' Monumental Fund Association of the city of Scranton.

Corporators.

Name.

SECTION 2. That said association shall have full power and authority to make and use a common seal, and the same to change, alter or annul at pleasure, and by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court or courts, before any judge or judges, justice or justices, in all manner of suits, complaints, pleas, causes, matters and demands whatsoever, and all and every matter and thing therein to do in as full and effectual a manner as any other person or persons, bodies politic or corporate within this commonwealth may or can do, and to make such rules, by-laws, regulations and ordinances as shall be necessary for its good government, and shall choose from themselves agreeably to said rules, by-laws, regulations and ordinances, such officers and committees as may be necessary and useful: *Provided always,* That nothing contained in any of said rules, by-laws and regulations and ordinances shall be contrary to or conflict with any law or laws of this commonwealth or of the United States.

Powers and privileges.

SECTION 3. That the association shall forever hereafter be able and capable in law to have, hold, receive and enjoy all and all manner of lands, tenements, rents, franchises, gifts and bequests of what nature soever, in fee simple, for a term of years or otherwise, the clear yearly value or income whereof shall not exceed twenty thousand dollars, and also to give, grant, let, sell, alien and assign the same in accordance with the nature of the respective gifts, grants and bequests made to the said association, and of their estate therein.

May receive and hold lands, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 964.

An Act

To alter and define the northern boundary of the borough of Orwigsburg, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the boundaries and limits of this borough of Orwigsburg, in the county of Schuylkill, on the northern side of said borough, shall be, beginning at the eastern line of the land of Joseph Zoll, at a point where the graded bed of the Lizard Creek railroad intersects said line; thence along the graded bed of the said Lizard Creek railroad to a point where the said road bed intersects the western line of the land of Joseph Deibert.

Boundaries of Orwigsburg, defined.

Assessments on excluded territory, vacated.

Assessors of West Brunswig township to assess excluded property.

Attached to West Brunswig township.

Repeal.

SECTION 2. The assessments made by the said borough authorities for the year one thousand eight hundred and seventy-one, of so much of the territory as is hereby excluded from the present borough limits, and all persons resident therein, are hereby vacated and rendered null and void; and the assessors of West Brunswig township are hereby required, within thirty days after this enactment, to proceed and make the proper assessments of the persons and property within the territory hereby excluded from the borough, and make the proper returns thereof to the county commissioners.

SECTION 3. That so much of the borough of Orwigsburg as is, by the first section of this act, excluded from the borough limit be attached to West Brunswig township.

SECTION 4. Any acts or parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 965.

An Act

To incorporate the Ashland Mutual Fire Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Bright, Edward T. Burke, John P. Colihan, David J. M'Kibbin, Alexander C. Mullin, Francis B. Wingert, Martin Monaghan, Adam Waldner, William A. Marr, Alfred Bancroft and Louis Biltz, senior, with such other persons as may hereafter be associated with them under the authority of of this act, and their successors, are hereby made a corporation, by the name, style and title of the Ashland Mutual Fire Insurance Company, with all the legal incidents of a corporation aggregate, to have and enjoy all the rights, powers and privileges, and be subject to all the limitations and restrictions provided by the act of assembly approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act to provide for the incorporation of insurance companies," the business of said corporation to be transacted upon the mutual principle exclusively.

Corporators.

Name.

Rights, powers, &c.

SECTION 2. The said company shall have power to insure buildings and personal property against loss by fire or storm, to which cases its risks shall be limited; it may charge such rates of insurance as shall be sufficient to meet all losses and expenses incident to conducting its business, but no dividend shall be declared or paid, or surplus divided; it shall have the privilege of fixing the number of directors and designating its officers, and the time and manner of holding its elections and publishing its accounts; the principal office of the said company shall be located in the borough of Ashland, in the county of Schuylkill; and the persons named in this act shall be the first directors to organize the company, and shall continue in office until their successors shall be legally chosen: *Provided,* The said company shall have all the powers granted in the first and second clauses provided in the seventh section of an act approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, entitled "An Act for the incorporation of insurance companies."

Power to insure.

Dividends.

Officers.
Office.

First directors.

Additional powers.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 966.

An Act

In relation to the Bethel African Methodist church, allowing them to hold property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* WHEREAS, the congregation and church of the Bethel African Methodist Episcopal church of the borough of West Chester have applied to the court of common pleas of Chester county for a charter of incorporation, agreeably to the act of assembly in such case made and provided:

And whereas, Questions may arise concerning the title to the real estate and the jurisdiction of the trustees and church over the same as against the jurisdiction of the conference and its representatives; therefore,

That said Bethel African Methodist Episcopal church shall have sole jurisdiction of all their property; shall have full power to encumber the same, sell any part or the whole of their property, and convert the proceeds to any use the trustees may determine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 967.

An Act

To prohibit fishing in the Turk dam, in Doylestown township, Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,*

That it shall not be lawful for any person or persons to catch, take or kill any pike or pickerel in the pond known as Turk dam, in Doylestown township, Bucks county, between the first day of February and the first day of April in each year.

Fishing prohibited between certain dates.

SECTION 2. That any person offending against the provisions of this act shall, on conviction thereof, pay a fine of ten dollars, with costs of suit, for the first offence, and fifty dollars, with like costs, for each and every subsequent offence, to be recovered by suit, in the name of the commonwealth, before any justice, having jurisdiction over the place where such offence shall have been committed, one-half of said fine or judgment to be for the use of the school fund of said Doylestown township, Bucks county, and the other half to be paid to the informant in the suit. Penalties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 968.

An Act

Relating to the election of burgess and town council and other purposes in the borough of Le Raysville, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next annual election of officers for the borough of Le Raysville, in the county of Bradford, the electors qualified to vote for borough officers shall elect two persons to serve as members of the town council for three years, two persons to serve two years and two persons to serve one year, and each ballot shall state distinctly the term or terms for which the persons voted for shall serve; and at every subsequent annual election they shall elect two qualified citizens to serve for three years, and so many and for such time as may be necessary to fill any vacancy from death, resignation or otherwise; but in case more than one vacancy occurs the board may fill the vacancy by appointment until the next annual election. Election of councilmen, relative to.

SECTION 2. That the term of the council shall commence annually on the Monday next after the election, and the persons elected shall appear on that day, or as soon thereafter as may be, at the place of holding the meeting of the council for the time being, and subscribe the oaths required by existing laws, which oaths and those of all the other borough officers shall be filed among the records of the borough; at the first regular meeting of the council after the election, they shall To be sworn and oaths to be filed.

Election of
president, &c.

proceed to elect one of their number who shall be president of the council and burgess, and another of their number who shall be vice president of the council and assistant burgess; and in case the said council shall fail to elect at the said meeting, the two last elected members of the council shall be burgess and assistant burgess, the highest in vote to be burgess, but in case of equality of votes to be decided by lot; the said burgess shall exercise and enjoy all the duties and powers which now or hereafter may by law be conferred or enjoined upon the burgess of the borough of Le Raysville; the assistant burgess shall enjoy all the rights and exercise all the duties and powers of the burgess in his absence or inability to serve; the burgess shall be authorized to administer the oaths to the incoming members of the council and to all the other corporate officers; three members of the council shall constitute a quorum to do business.

Tie vote to be
decided by lot.

Assistant bur-
gess.

Powers and
duties of high
constable.

SECTION 3. That the high constable of the borough of Le Raysville, hereafter elected, shall have full power and authority to discharge all the duties enjoined by law on constables, and be entitled to receive the same fees and be subject to the same regulations and penalties as are prescribed and contained in the laws now existing, or that may hereafter be passed concerning constables within this commonwealth; and it shall be the duty of the said high constable to give the notices required by law concerning all elections.

Police.

SECTION 4. That the burgess and town council of the borough of Le Raysville be and they are hereby authorized and empowered to appoint, at such compensation as they may fix, special police, or detective officers, not to exceed five in number, who shall each have the full power of any constable or policeman; that whenever any such special policeman, or detective officer, performs the duties of a constable in making arrests, serving process, making commitments, or otherwise, he shall be allowed, entitled to, and recover the same fees and costs as constables are now entitled to by law, and that his jurisdiction shall extend to and be recognized in any county within this commonwealth as fully as if he were an elected constable; that the special police, or detective officers, appointed under this act, may be removed at the pleasure of the burgess and town council of the borough of Le Raysville aforesaid.

Powers and
jurisdiction.

Additional tax.

SECTION 5. That the burgess and town council of the borough of Le Raysville be and they are hereby authorized to annually assess, levy and collect, for borough purposes, an additional tax of five mills on the dollar of the assessed valuation assessed for county purposes.

Lock-up.

SECTION 6. That the burgess and town council of the borough of Le Raysville be and they are hereby authorized and empowered to build, or otherwise provide, within the said borough, a suitable building for the security and temporary detention of any person or persons convicted by a justice of the peace or burgess of said borough for any violation of the laws of this commonwealth, or of any ordinance of the said borough, for which such person or persons could be lawfully committed to the common jail of the county: *Provided*, That

no person shall be confined in said lock-up house at any one time for a longer period than seventy-two hours, except such person or persons be charged with an indictable offence and it may be necessary to detain such person or persons for legal examination.

SECTION 7. That all fees for the arrest, commitment and safe keeping in said lock-up of any person, shall be taxed by the burgess and paid by the prosecutor or defendant, or defendants, or by the said borough of Le Raysville, as the issue of the case on which such defendant or defendants shall be committed, may be determined and required. Payment of fees.

SECTION 8. That the burgess and town council of said borough, or a majority of them, may appropriate and pay for the erection of said lock-up house such sum of money out of the funds of the borough as they may deem necessary: *Provided however,* That the cost of such lock-up house shall not exceed five hundred dollars. May appropriate borough funds for lock-up.

SECTION 9. That the property owners residents of the borough of Le Raysville, whose lands may extend into the township, shall pay the amount of school taxes assessed against said lands so extending over the borough line into the township, into the school treasury of the said borough for the support of schools in said borough; and that the property owners residents of the township of Pike, whose lands may extend into the said borough of Le Raysville, shall pay the amount of school taxes into the treasury of said township. School taxes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-third day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 969.

An Act

To provide for the opening of Darien street, from Oxford street to Norris street, in the Twentieth ward, city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That immediately after the passage of this act, the chief commissioner of highways of the city of Philadelphia shall pro-

ceed forthwith to open Darien street, from Oxford to Morris, in the Twentieth ward of the city of Philadelphia: *Provided*, That the court of common pleas shall appoint a jury to assess damages.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 970.

An Act

Relating to bounty taxes in Ligonier township, Westmoreland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the school directors of Ligonier township, Westmoreland county, to issue bonds to John Cavin, dated April first, one thousand eight hundred and sixty-five, for seven hundred dollars; five hundred dollars to be paid August fifteenth, one thousand eight hundred and seventy-one, and the balance of the principal and interest one year thereafter; and the school directors of said township are hereby authorized and required to levy and collect, by special tax or otherwise, in said township, at the time provided as aforesaid, a sum sufficient in amount to pay to the said John Cavin the sum of seven hundred dollars and interest, as above provided.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 971.

A Further Supplement

To an act, entitled "An Act to reduce the expenses of collecting state and county taxes in Venango county," approved April third, Anno Domini one thousand eight hundred and fifty-one, so far as the same relates to Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth section of an act, entitled "An Act to reduce the expenses of collecting state and county taxes in the county of Venango," et cetera, approved April third, one thousand eight hundred and fifty-one, as also so much of the third section of said act as authorizes the treasurer to issue a schedule of unpaid taxes to the several constables of the county for collection, so far as they relate to the county of Jefferson, as extended to said county by the act of eighteenth February, one thousand eight hundred and fifty-seven, be and the same are hereby repealed.

Portions of certain acts repealed.

SECTION 2. Hereafter the commissioners of the said county of Jefferson shall have power to appoint some suitable person, as collector of county and state taxes, for each and every borough and township in said county, and shall require of him such security, by bond or otherwise, as they may deem sufficient to insure the faithful performance of his trust; and he shall have all the rights and powers, and be subject to all the duties, suits and penalties as indicated with reference to constables in said act of April third, one thousand eight hundred and fifty-one.

Commissioners to appoint collectors.

SECTION 3. That the treasurer of said county shall, at the time he issues his warrant and schedule of unpaid taxes to any collector so appointed as aforesaid, add to the amount due from each defaulting tax-payer ten per centum, and the said tax, with the said ten per centum, shall be collected as directed by said act; and in default of property the said collector may seize and imprison the person of said defaulting tax-payer until said tax is paid, or he is discharged by due course of law; and said collector may execute his warrant in any part of each county.

Penalty for non-payment of taxes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 972.

A Supplement

To an act incorporating the Union Contract Company, approved December thirty-first, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Union Contract Company shall be entitled to all the rights, powers and privileges conferred and set forth in and by an act to incorporate the Pennsylvania Company, approved April seventh, one thousand eight hundred and seventy, and the supplement thereto, approved February eighteenth, one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 973.

A Supplement

To the act, entitled "An Act to incorporate the city of Lock Haven," approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief police constable appointed by the mayor of the city of Lock Haven, or some other person whom the mayor shall appoint, shall, in the case of the absence or inability of the mayor to act, have, possess and exercise all the powers and jurisdiction vested in and conferred upon the mayor of the said city of Lock Haven, by the fourteenth section of the act of assembly incorporating said city, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy; and shall be able to perform all the duties

enjoined upon said mayor by the said fourteenth section, and be entitled to receive the same fees as provided in said section

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 974.

An Act

Authorizing the common council of the city of Harrisburg to open State street to its intersection with the Jonestown road.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the common council of the city of Harrisburg are hereby empowered to open State street to its intersection with the Jonestown road, in Susquehanna township, with the same effect as if the same was all located in the city of Harrisburg, and may proceed to open and grade said street from the canal to the city limits, immediately after the passage of the requisite ordinance; and for opening the same the damages to be assessed and paid after the opening of said street in all other respects as now provided by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 975.

An Act

To incorporate the Shamokin Life Insurance and Trust Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Conrad Graber, Alfred J. Medler, George W. Ryan, Charles H. Rahn, George M'Ellice, Levi Huber, and all others who may be hereafter associated with them, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Shamokin Life Insurance and Trust Company, with all the rights and privileges, and be subject to all the restrictions in the act, entitled "An Act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company of Schuylkill Haven," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved the seventeenth day of February, Anno Domini one thousand eight hundred fifty-four; and the place of business of said corporation shall be in the borough of Shamokin, in Northumberland county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 976.

An Act

Giving the Mehoopany Mining and Manufacturing Company the right to clear and drive Mehoopany creek, and to boom the Susquehanna river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Mehoopany Mining and Manufacturing Company are authorized and empowered to erect and maintain, on the Mehoopany creek and its tributaries, in Wyoming and Sulli-

May erect flooding dams, remove obstructions, &c.

van counties, Pennsylvania, between the head-waters of said creek and the point where it enters the Susquehanna river, such flooding dams, for the purpose of producing artificial freshets, remove such rocks and obstructions in the bed of said creek, erect and maintain such shear and other booms, and do generally such things as are necessary for driving logs, masts, spars and other timber down said creek to the Susquehanna river; and also to erect and maintain, on the North Branch of the Susquehanna river, between the mouth of Mehoopany and Horse Race dams, such boom or booms, with piers, as may be necessary for the purpose of stopping and securing logs, masts, spars and other timber floated down said creek into said river, and erect such piers, side, branch or shear booms as may be necessary for the purpose: *Provided*, That said booms be so constructed as to admit the safe passage of rafts and boats, and not impede the navigation of said river.

May erect booms on North Branch of Susquehanna.

SECTION 2. That for the purposes aforesaid the said corporation be and are hereby authorized and empowered to purchase, hold and possess any real estate adjacent to said flooding dams or convenient thereto, with leave to erect all such buildings as may be deemed necessary for the convenient management of the affairs of said corporation; and for the same purposes the said corporation be hereby empowered to use and occupy lands on the shores of said creek, so far as may be necessary, at the place or places where the said flooding dams are or may be erected, and to pass and re-pass, on foot, over the lands on both sides of said creek, for the purpose of erecting said flooding dams or making repairs from time to time, and generally for doing all matters and things necessary for the full accomplishment of the objects of this corporation.

May purchase and hold lands.

May occupy lands on shores of creek.

SECTION 3. That if any person or persons shall suffer damage by the exercise of powers herein granted to said corporation, and the amount thereof cannot be agreed upon by the parties, nor some suitable person or persons agreed upon to estimate the same, the court of common pleas of Wyoming or Sullivan county, in which the premises shall lie, as the case may be, shall, upon application of the parties aggrieved, cause said damages to be ascertained by three disinterested freeholders of the aforesaid county, to be appointed by the said court, and who shall make report to the said court on or before the first day of the term next after the award shall have been made, and which being confirmed by the court, shall have the effect of a judgment from the time of such confirmation: *Provided however*, That if either party be dissatisfied with the award of said commissioners, and shall, at the term said award is presented for confirmation, apply to said court for a trial by jury, in the manner as other like cases are determined, the court shall, by jury, determine the amount of said damage; and if the verdict shall not be more favorable to the party applying for the jury than the award given by the commissioners, judgment for costs shall be rendered against the applicants; and if the verdict be more favorable to the party applying for a jury than was awarded by the commissioners, the applicants shall receive costs, and execution shall,

Proceedings in cases of disagreement as to damages.

in either case, issue upon the judgment; said corporation shall not take any private property until compensation be made or adequate security be given therefor before such property shall be taken.

Tolls.

SECTION 4. That the said corporation shall have the right to charge and collect toll upon all logs and other timber floated or driven at said Mehoopany creek, but which toll shall not exceed in amount forty cents per thousand feet, board measure; and that the corporation shall have a lien on all logs or timber sawed from said logs, or on other lumber thus floated or driven, until such time as the said charges be paid to the corporation.

Lien on lumber.

Penalty for Injuring dams, &c.

SECTION 5. That if any person aforesaid shall wilfully injure or destroy any such dam or other works connected therewith, or impede the driving of said logs and timber on said creek, by depositing therein stumps and tops of trees and other refuse matter, he or they so offending shall pay double the amount of damage made necessary in re-building or cleaning the same; the amount to be recovered by action of trespass in the said court.

Differences between timber owners and corporation.

SECTION 6. That should any differences relative to the amount of logs, or other timber thus driven, arise between the owners of said logs and the corporation, the amount thus driven shall be ascertained by the sworn statement of the person or persons appointed to scale the logs, or other timber, upon the roll-ways of the parties depositing said logs or timber in the said creek.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 977.

An Act

To incorporate the Teutonia Insurance Company of Allegheny city, Allegheny county, Pennsylvania.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act Charles H. Sautter, Gottlieb Faas, N. H. Vogtly, C. Kopp, Frederick Beckert, George Gerst, William Eberhart, John H. Lotz and John

Mayer, all of Allegheny county, are hereby appointed commissioners, who or any five of them, are authorized and empowered to establish a fire insurance company, to be located in the city of Allegheny, Allegheny county, Pennsylvania, by the name, style and title of the Teutonia Insurance Company, with a capital stock of one hundred thousand dollars, with the privilege of increasing the same to two hundred thousand dollars.

Insurance company authorized.
Name.
Capital.

SECTION 2. The company shall be organized and managed according to the provisions of an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini one thousand eight hundred and fifty-six, and be limited to the risks designated in the first clause of section seventh of said act; and that section third of said act be so amended as to allow the payment of the stock of this company to be made in lawful money of the United States; the first payment of five dollars per share to be made at the time of subscription, the residue to be paid as the by-laws of the corporation shall direct.

How organized, &c.

Limited as to risks.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 978.

A Further Supplement

To an act to incorporate the Federal Street and Pleasant Valley Passenger Railway Company, authorizing said company to have viewers appointed to fix compensation for property taken for the use of said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case the Federal Street and Pleasant Valley Passenger Railway Company shall not be able to agree with any person or persons in regard to the amount of compensation to be paid to said person or persons, for the taking, using and holding of any private property lying and being north of Washington avenue, in the city and county of Allegheny, for the use thereof, the court of common pleas of Allegheny county shall appoint viewers, upon the petition of any person interested, to fix the rate of compensation for taking, using

and holding of such private property, subject to all the provisions of the act regulating the appointment of viewers under the several railroad laws: *Provided however*, That no street, lane or alley shall be taken, used or occupied by said company, without the consent of the councils of the city of Allegheny being first had and obtained; and that the ground so appropriated and appraised, shall be limited to so much as may be necessary for tracks only, between Washington and Union avenue, not exceeding sixteen feet in width: *And provided further*, That the consent of councils of the city of Allegheny shall first be obtained, before any provisions of this supplement shall go into effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one

JNO. W. GEARY.

No. 979.

An Act

To erect a new township out of parts of Madison and Jefferson townships and a part of Dunmore borough, all of Luzerne county, to be called Roaring Brook township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the territory embraced within the following described boundaries is hereby erected and constituted into a new and separate township, by the name, style and title of Roaring Brook township: Commencing at the north-east corner of the Rebecca Brownson warrant, in Madison township; thence north one hundred and thirty-three perches; thence east one hundred and twenty-six perches; thence north nine perches; thence east one hundred and twenty-three perches; thence north three hundred and seventy perches; thence east two hundred and twenty-five perches; thence north five hundred and forty perches; thence south sixty degrees west one hundred and seventy-five perches; thence north thirty-two degrees west ninety-three perches; thence north about three hundred and fifty perches; thence north forty-four degrees east one hundred and five perches; thence north forty-six degrees west four hundred and fourteen perches; thence south forty-four degrees west nine hundred and forty perches; thence

Township of
Roaring Brook,
created.

Boundaries.

west seven hundred perches, to the Scranton city line; thence south thirty-five and a half degrees west along said city line seven hundred and twenty perches; thence south fifty-four and a half degrees east eight hundred perches; and thence east eleven hundred perches, to the place of beginning.

SECTION 2. That the laws now governing the said township of Madison are hereby made applicable to Roaring Brook township. Subject to.

SECTION 3. That the taxes assessed and levied upon citizens within the proposed limits of said Roaring Brook township, for the year one thousand eight hundred and seventy-one, shall be collected by the collector of Madison township and paid over to the proper authorities of said Roaring Brook township. Taxes.

SECTION 4. That all general, special and township elections for said Roaring Brook township shall be held at the school house at Dunnings. Place of holding elections.

SECTION 5. That a special election shall be held on the first Tuesday of June next, for the purpose of electing township officers for the said new township; said election to be governed by the laws regulating township elections in this commonwealth. Special election.

SECTION 6. All laws inconsistent herewith or conflicting with any of the provisions of this act are hereby repealed. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 980.

A Supplement

To an act, entitled "An Act to incorporate the East Broad Top Railroad and Coal Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for completing the railroad authorized by the act approved the sixteenth of April, one thousand eight hundred and fifty-six, and the supplement thereto, entitled "An Act to incorporate the East Broad Top Railroad and Coal Company," be and the same is hereby extended for seven (7) years from the passage of this act. Time for completing road, extended.

SECTION 2. That the said East Broad Top Railroad and Coal

May connect
with other
roads.

Company shall have the power to connect their railroad with the Southern Pennsylvania Railroad and Iron Company, or with any other railroad now constructed, or that may be hereafter constructed, and, if necessary, to cross the same at grade or otherwise, as may be most desirable.

Portion of
former act, re-
pealed.

SECTION 3. That section six of the original act of incorporation, approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty-six, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 981.

A Supplement

To an act, entitled "An Act relative to partition of mineral land in the county of Luzerne," approved the twenty-sixth day of February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act relative to partition of mineral lands in the county of Luzerne, approved February twenty-sixth, one thousand eight hundred and seventy, shall not be construed to diminish or in any manner impair the rights or interests of any widow, husband or surviving parent, in any mineral lands in said county as they existed at the passage of the said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY:

No. 982.

An Act

Supplemental to an act, entitled "An Act to authorize the erection of a poor house in the townships of Auburn and Rush, in the county of Susquehanna."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Elijah L. Adams, C. E. Davis, Abisha Gray and William H. Sherwood, the commissioners appointed to carry out the provisions of an act, entitled "An Act to authorize the erection of a poor house in the townships of Auburn and Rush, in the county of Susquehanna," and duly approved the eleventh day of March, Anno Domini one thousand eight hundred and seventy, or their successors in office, in order to fully carry out the provisions of said act, are hereby authorized and empowered to borrow money or issue bonds, and sell the same in such sum or sums as may be deemed advisable, and bearing any rate of interest not exceeding eight per cent. per annum: *Provided however,* That no bond shall be issued for a less amount than one hundred dollars, and that the aggregate amount thereof shall not exceed the sum of twelve thousand dollars.

Commissioners
may borrow
money or issue
bonds.

SECTION 2. That all laws or parts of laws, so far as they relate to and inconsistent with this act, be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 983.

An Act

To incorporate the Excelsior Enterprise Company, with power to purchase, improve, use and dispose of property, to aid contractors and others, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That Charles Cook, John Clayton, Edward M'Dowall, J. M'Clogan, J. H. Graham and Joseph Keating, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate, to be known by the name, style and title of the Excelsior Enterprise Company, and by that name, style and title shall have perpetual succession, and exercise and enjoy all the privileges incident to a corporation.

Rights, powers, &c. SECTION 2. The said corporation shall also have, enjoy and exercise the same rights, powers, privileges, franchises and immunities as are conferred in and by an act of assembly of the commonwealth of Pennsylvania, entitled "An Act to incorporate the Pennsylvania Company," approved the seventh day of April, Anno Domini one thousand eight hundred and seventy; and also have, exercise and enjoy the rights, privileges, franchises and immunities granted in and by any existing supplements to the charter of the said, the Pennsylvania Company, as if the same were herein specially and particularly set forth.

Change of name and location of general office. SECTION 3. That the stockholders of the said company, by and with the advice and consent of the holders of two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and to designate the location of its general office; which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and secretary and attested by the seal of the said company.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 984.

A Further Supplement

To an act, entitled "An Act to authorize the erection of a poor house by the borough of Dunmore, borough of Scranton, and township of Providence, in the county of Luzerne," approved the ninth day of April, one thousand eight hundred and sixty-two, and a supplement thereto, approved the eighth day of April, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of said supplement to the aforesaid act, approved the eighth day of April, one thousand eight hundred and sixty-eight, as requires the consolidation of the several districts into one district, and provides that no separate accounts be kept for the support of paupers, be and is hereby repealed, so far as relates to the borough of Providence; and that from and after the passage of this act the accounts shall be kept for the territory of said district, known as the borough of Providence, in manner and form as required by the original act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 985.

An Act

To extend the provisions of an act to change the mode of criminal proceedings in Erie and Union counties, to the borough of Phoenixville, in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the passage of this act that all the provisions of an act approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "An Act to change the mode of criminal proceedings in the counties of Erie and Union," be and the same is hereby extended to the borough of Phoenixville, in the county of Chester.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 986.

A Supplement

To the act, entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Erie," approved June twenty-fourth, Anno Domini one thousand eight hundred and thirty-nine.

Additional compensation to poor directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Erie are hereby authorized and empowered to pay to the directors of the poor of said county, until the poor house now being constructed for said county is fully completed, such additional compensation as they may consider equitable and proper: *Provided,* That such sum shall not be paid until approved by the court of common pleas of said county.

Directors may sell real estate.

SECTION 2. That the directors of the poor of said county are authorized and empowered to sell and convey, to the purchaser or purchasers, such real estate, other than the one hundred acre tract situated in the township of Mill Creek, and known as the poor house tract, the title to which heretofore has or hereafter may be vested in them as such directors by gift, conveyance, bequest or otherwise.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 987.

An Act

Supplementary to an act, entitled "An Act to enable the school directors of Strasburg borough school district, in the county of Lancaster, to sell certain school houses and lots, and to borrow money for building a new Union school house in said borough, and to provide for the holding of an election in relation to the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That for the purpose of providing a house and lot convenient to and adjoining the Union school property, in Strasburg borough school district, in the county of Lancaster, for the residence of the principal of said school, and who will also take charge of said school building, the school directors of said district are hereby authorized and empowered to borrow an additional sum of money to that heretofore authorized, not exceeding one thousand five hundred dollars, on the same conditions authorized by the act to which this is a supplement: *Provided*, That this act shall not take effect until a majority of the qualified voters of said borough shall signify their approval of the same, at an election held for that purpose by the election officers of said district, and after such notice as is required by law for the holding of borough elections.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 988.

An Act

Supplementary to an act, entitled "An Act to incorporate the Chartiers Cemetery Company of Allegheny county, Pennsylvania," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of trustees of the Chartiers Cemetery Company of the county of Allegheny are hereby authorized and empowered, whenever they may deem it expedient or necessary, to purchase and annex the said cemetery, as a part of the same, in addition to what is authorized in the third section of the act to which this is a supplement, not exceeding one hundred acres of land, the same to be set apart and enclosed for cemetery purposes, and subject to all the conditions and provisions of the act aforesaid not inconsistent herewith.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 989.

A Supplement

To an act to incorporate the General Eldership of the Church of God in North America, approved the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of an act, entitled "An Act to incorporate the General Eldership of the Church of God in North America," be amended by changing the name "Adam P. Shoemaker" to "Adam X. Shoemaker," and inserting after the words, "elected by the said general eldership at its last regular meeting," the words, "and their successors in office."

First section,
amended.

"Thirty" in-
stead of "ten,"
in fifth section.

SECTION 2. That the word "ten," in the fifth section of said act, shall be stricken out, and the word "thirty" inserted in its place, so as to read "any amount not exceeding thirty thousand dollars."

Sixth section,
changed.

SECTION 3. That the sixth section of the act to which this is supplementary, shall be changed so as to read "that seven members of this corporation," et cetera, instead of as it now reads, "that three members," et cetera.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 990.

An Act

To increase the pay of all township officers of Gregg township, Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the pay of all township officers in the township of Gregg, in the county of Union,

shall be two dollars per day for every day they are necessarily employed in discharging the duties of said office.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 991.

An Act

To authorize an additional tax for school purposes in the borough of M'Keesport, in Allegheny county.

WHEREAS, The citizens of the borough of M'Keesport, in Allegheny, desire to increase the efficiency of the public schools of said borough by keeping the same open a greater number of months each year and by paying higher salaries for the services of teachers: Preamble.

And whereas, The amount of tax now authorized by law to be levied and collected annually for school purposes, in said borough, is insufficient to meet the extra expense that would be thus incurred; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of M'Keesport be and they are hereby authorized and empowered to levy and collect annually for school purposes, in addition to the amount now authorized by law to be levied and collected for the same, a tax not exceeding three mills upon the assessed valuation of all property, trades and occupations now taxable for said purposes. Directors may levy and collect additional tax.

SECTION 2. And said school directors of said borough are hereby authorized and empowered to levy and collect annually, for school purposes, a poll tax of three dollars upon all male taxables of said borough. Per capita tax, authorized.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 992.

An Act

To increase the pay of township officers in the county of Wyoming.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this the supervisors, overseers of the poor, township auditors and town clerk in the several townships in Wyoming county, shall each be entitled to receive one dollar and fifty cents per day, while necessarily employed in discharging the duties of their respective offices.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 993.

An Act

Entitled "A supplement to an act erecting the villages of Mount Joy and Richland, and their vicinity, in the county of Lancaster, into a borough, to be called the borough of Mount Joy," passed the tenth day of February, one thousand eight hundred and fifty-one.

Preamble.

WHEREAS, The turnpike way or road of the Lancaster, Elizabethtown and Middletown Turnpike Company, passes through the borough of Mount Joy, in the county of Lancaster, which borough was duly incorporated by act of assembly approved February tenth, eighteen hundred and fifty-one, and by an act of assembly approved March twenty-fourth, eighteen hundred and fifty-two, was made subject to the act of April third, eighteen hundred and fifty-one, entitled "An Act regulating boroughs," thereby giving to the said borough authorities power to regulate all roads, streets, lanes, alleys, pavements, gutters, culverts, drains, grades, inlets, slopes and forms thereof:

And whereas, The said Lancaster, Elizabethtown and Middletown Turnpike Company, now and since eighteen hundred

and fifty-one, up to the present time, hath charged and collected toll or tolls on and upon that portion of their turnpike way passing through the limits of the said borough, but nevertheless do not keep the said portion in good repair, but refuse to do so, and to keep the same repaired, graded and regulated, according to the ordinances and laws of said borough; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Mount Joy aforesaid shall have lawful authority and is hereby authorized and empowered to make, or cause to be made, all needful repairs in, over and upon that portion of the said turnpike way within the limits of the said borough, and hereafter to keep the same in good order and repair, and to regulate the gutters, drains, grades, widths, slopes and forms thereof: *Provided however,* That the said turnpike company shall have the privilege of making or causing to be made, at their own costs, all repairs, and keeping in good repair and fixing and making gutters, culverts, drains, grades, slopes and forms, in, over and upon that portion of their turnpike within the limits of said borough, if they make and repair the same as directed by the street commissioner or commissioners, or the committee appointed to superintend the work of the street commissioners; and if commenced, to be fixed and repaired within ten days after notice, in writing, from the burgess or street commissioner, that fixing and repairs are required and needed, and continue said fixing and repair to completion.

Borough authorized to make repairs to turnpike.

Proviso.

SECTION 2. That it shall be the duty of the borough of Mount Joy, or its authorities, the burgess, the street commissioner or commissioners, or the committee appointed to superintend the work of the street commissioners, to keep an accurate account of the cost or expenses incurred in keeping in good order and repair, as required in the first section of this act, the portion of the said turnpike way within the limits of said borough, and present the same annually to the board of directors of the said Lancaster, Elizabethtown and Middletown Turnpike Company for payment; which cost and expenses the said board of directors are hereby authorized and required to pay to the said borough of Mount Joy or its proper treasurer; and in case of the refusal by the said board of directors to pay or liquidate the same, the said borough of Mount Joy may recover the same as debts of the same amount are by law recoverable; and in all action or actions, or suits brought to recover said costs or expenses, it shall be only lawful for the defendant to deny that the work was done or materials furnished, or to prove that the price charged is greater than the value thereof, or that the amount claimed has been paid and released.

Annual statement of cost to be made to turnpike road company.

Company to pay costs.

How recoverable.

SECTION 3. That said borough shall hereafter be named and called the borough of Mount Joy; and in all cases when persons owning real estate in the borough of Mount Joy shall neglect or refuse to pay his or her proportion of the several taxes assessed, or refuse to pay the costs and ex-

Borough name. Proceedings when property owners refuse to pay taxes assessed for improvements.

penses incurred by the said borough, in curbing and paving, and making a new, or repairing and altering the pavements of any owner or owners of real estate, according to the regulations and ordinances regulating pavements, side-walks, gutters, culverts, et cetera, in said borough, and in all cases when the owner or owners do not reside within said borough, and sufficient personal property cannot be found, not exempted from levy and sale within said borough, belonging to such owner or owners, to pay the same, then it shall be the duty of the town clerk to make out a certified copy of such taxes and costs and expenses of making, altering and repairing pavements and side-walks, together with the penalty imposed on such delinquent by any law or ordinance as are or may be at any time imposed, signed by the burgess and attested by the said clerk, and cause the same to be entered in the prothonotary's office of Lancaster county, with the corporate name of said borough as plaintiff, and the said owner or delinquent as defendant or defendants; which when so entered shall have the same effect as a judgment regularly entered in court, and which shall remain a lien for five years and no more, unless revived by *scire facias* as other judgments; for which entry the prothonotary shall be allowed a fee of fifty cents, defendant or defendants to be liable for all costs; and in case such owner, delinquent or delinquents, shall refuse or neglect to pay or satisfy the said claim or judgment, and all costs, within ninety days after the same is entered as aforesaid, in the prothonotary's office, then it shall be lawful for the plaintiff, the said borough, to cause to be issued to the sheriff or other officer, a writ of *feri facias*, or other writ of execution, who shall proceed with the same as is now provided for with such writs under existing laws.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 994.

An Act

Granting an annuity and gratuity to Peter Shanefelter and Samuel Bingaman.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be and he is hereby authorized and required to pay to Peter Shanefelter and Samuel Bingaman, of Adams county, soldiers of the war of one thousand eight hundred and twelve, a gratuity of forty dollars and an annuity of forty dollars each per annum, semi-annually, commencing on the first day of January, Anno Domini one thousand eight hundred and seventy-one: *Provided*, That when the general government provides by law for the payment of pensions to soldiers of one thousand eight hundred and twelve, the pensions provided by this act shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 995.

An Act

To repeal so much of the act, entitled "An Act relative to fishing in the streams, lakes, canals and reservoirs in the county of Crawford," approved March twelfth, one thousand eight hundred and seventy, as prohibits fishing with spears therein.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, entitled "An Act relative to fishing in the streams, lakes, canals and reservoirs in the county of Crawford," approved the twelfth day of March, one thousand eight hundred and seventy, as prohibits fishing with spears, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 996.

An Act

To authorize the Harrowgate and Plank Road Land Company to sell and convey certain real estate and confirming former sales.

Preamble.

WHEREAS, By a charter of incorporation, duly filed in the court of common pleas for the city and county of Philadelphia, in pursuance of the acts of assembly in such case made and provided, and approved on the twenty-second day of December, Anno Domini one thousand eight hundred and fifty-six, the said the Harrowgate and Plank Road Land Company were duly incorporated for the period of ten years :

And whereas, Frederick Heim and others, by indenture bearing date the fifteenth day of July, Anno Domini one thousand eight hundred and fifty-seven, recorded in deed book R. D. W., number one hundred and forty-four, page five, granted and conveyed unto the said the Harrowgate and Plank Road Land Company, their successors and assigns, two certain and contiguous tracts of land, situate on the north-easterly side of a certain two perch wide lane, leading north-westwardly from the Frankford road, in the city of Philadelphia, each containing ten acres of land :

And whereas, By a charter of incorporation, duly filed in the court of common pleas aforesaid, in pursuance of the acts of assembly in such case made and provided, and approved on the sixth day of February, Anno Domini one thousand eight hundred and sixty-seven, the Harrowgate and Plank Road Land Company, composed of the same interests as the original incorporators, was again incorporated for the period of ten years :

And whereas, Doubts have occurred as to the right of the said corporation to sell the real estate held by the said corporation, by reason of the interval which occurred between the expiration of the old charter, to wit : On the twenty-second day of December, Anno Domini one thousand eight hundred and sixty-six, and the granting of the new charter, on the sixth day of February, Anno Domini one thousand eight hundred and sixty-seven, and also by reason of the expiration of said original charter ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Harrowgate and Plank Road Land Company, as created by the original charter, shall have full power and authority to sell all or any part of the real estate before mentioned and set forth, either at public or private sale, and convey the same in fee simple to the purchaser or purchasers thereof, or reserving a ground rent in part or for the whole of the purchase money, as they shall deem proper, with full power and authority to sell or extinguish any ground rent as reserved, or at their option to convey the same to the said

Company authorized to sell real estate.

corporation second above created, who shall have the full power to sell and convey the same under the terms of their charter, as though the same had originally formed part of their real estate.

SECTION 2. That all conveyances heretofore made by either of the said the Harrowgate Plank Road Land Companies of the said tract of land to any person or persons, either before or subsequent to the expiration of the said first charter, be and the same are hereby ratified and confirmed.

Former conveyances made by company, ratified.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 997.

An Act

Relative to notaries public in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all fees, which are now chargeable and receivable by the notaries public in Schuylkill county, shall be increased twenty-five per centum : *Provided,* That the increase shall not relate to the fees for the acknowledgment of deeds and mortgages.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 998.

A Supplement

To an act, entitled "An Act to punish the buying or receiving of scrap iron, brass or other metals from minors or unknown and irresponsible persons, in the counties of Lancaster and Philadelphia," extending the provisions of said act to the counties of Berks, Bucks and Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to punish the buying or receiving of scrap iron, brass or other metals from minors or unknown and irresponsible persons, in the counties of Lancaster and Philadelphia," approved twenty-fourth April, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the counties of Berks, Bucks and Carbon.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 999.

An Act

To allow mileage to the commissioners of Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of Clarion county shall be allowed mileage at the rate of ten cents per mile circular, for each mile traveled in performance of their official duties, except in going to and returning from Clarion to their respective homes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1000.

An Act

Empowering the chief burgess and town council of the borough of Tremont, Schuylkill county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess and town council of the borough of Tremont shall have power to borrow a sum of money, not to exceed ten thousand dollars, for the use of said borough, to issue bonds for the same, and pay legal interest.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1001.

An Act

To repeal an act, entitled "An Act regulating the granting of licenses to taverns, eating houses, breweries and venders of liquors, with or without other goods, in the city of Titusville, in the county of Crawford," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act regulating the granting of licenses to taverns, eating houses, breweries and venders of liquors, with or without other goods, in the city of Titusville, in the county of Crawford," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine," be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1002.

An Act

To increase the pay of supervisors and overseer of the poor in Clinton township, Lycoming county, and the court criers and tipstaves of Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the pay of supervisors and overseers of the poor of Clinton township, Lycoming county, shall be one dollar and a half per day for every day they shall be necessarily employed in discharging the duties of said offices.

Pay of super-
visors and over-
seers.

Court crier and
tipstaves.

SECTION 2. That the compensation, after the passage of this act, for the court crier and tipstaves of the courts of Indiana county, shall be twenty-five per centum in addition to what is now allowed them by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1003.

An Act

To confirm the title of the Philadelphia and Erie Railroad Company to certain real estate and property in the county of Erie, and formerly belonging to the Anthracite Coal and Iron Company.

WHEREAS, A. F. Swann, Esquire, high sheriff of Erie county, under certain proceedings and judgment had and obtained in said county, levied upon and sold at sheriff's sale, all the real estate, property, right of way, docks and appurtenances of the Anthracite Coal and Iron Company in said county, to John Hearn, and conveyed the same to him, his heirs and assigns, by deed duly executed and acknowledged in open court, on the third day of March, one thousand eight hundred and seventy:

And whereas, The said John Hearn and wife being so

thereof seized, did by their deed, dated October first, one thousand eight hundred and seventy, grant and convey certain portions of the said property, real estate, rights of way and premises, and more particularly described in said deed, to the said railroad company, its successors and assigns :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of the Philadelphia and Erie Railroad Company in and to the said real estate, property, rights of way and premises in the county of Erie, conveyed to them by the said John Hearn and wife, by deed, dated October first, one thousand eight hundred and seventy, and more particularly described therein, be and the same is hereby fully confirmed and made good.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1004.

An Act

To confirm the title of Samuel Parmer and others to an island or bar in the river Delaware.

WHEREAS, A certain island, called Newfoundland, situate in the river Delaware, in the township of Falls, in the county of Bucks, by a patent issued from the land office of this commonwealth, dated the fifth day of March, in the year of our Lord one thousand eight hundred and twenty-two, was granted to Samuel Parmer, John Weyman and William Shingleton, their heirs and assigns :

And whereas, Doubts have arisen as to the sufficiency of the said patent to convey the title of the commonwealth in said premises to the grantees therein named, and it is just that their title thereto should be confirmed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the title of this commonwealth to the said island of Newfoundland, or Palmer's bar, as the said premises are sometimes called, is hereby confirmed to and vested in the said Samuel Parmer, John Weyman and William Shingleton, or to and in their respective heirs and assigns, now claiming the

same by, from or under them, or any of them, by descent, devise, deed, conveyance or any other lawful means whatever, as fully and effectually as if the said patent had been regularly issued by lawful authority.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1005.

An Act

To aid the Cumberland Valley State Normal school.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the trustees of the Cumberland Valley State Normal school, located at Shippensburg, Cumberland county, incorporated by the court of common pleas of the said county, on the eighteenth day of April, Anno Domini one thousand eight hundred and seventy, shall obtain from the superintendent of common schools an approval of the location of said school, with reference to its becoming a state normal school, for the Seventh Normal school district, and also of the plans of the buildings now in course of erection, he shall issue annually during the three years next succeeding the approval of this act, a warrant for five thousand dollars, upon the state treasurer, for money not otherwise appropriated, in favor of the trustees of the said school: *Provided,* That the president of the board of trustees, at the time of applying for the issue of the first warrant, shall certify to the superintendent of common schools, under oath or affirmation, that the said school has a *bona fide* subscription fund for the erection of its buildings of at least thirty thousand dollars, and that there is expended in the erection of their buildings at least ten thousand dollars; and at the application for the second warrant, that there is expended an additional sum of at least fifteen thousand dollars since the preceding warrant was issued; and at the application for the third warrant that there is expended an additional like sum: *And provided further,* That it shall be lawful for the superintendent of common schools to issue the said warrants whenever the amounts herein specified shall have been expended in the erection of the said buildings, although the time hereinbefore specified shall not have elapsed.

Upon approval of location, superintendent to issue annually, for three years, warrant for \$5,000.

President to certify under oath amount subscribed, &c.

SECTION 2. That the said Cumberland Valley State Normal school shall have none of the privileges of the act establishing normal schools, approved the twentieth day of May, one thousand eight hundred and fifty-seven, until it is duly recognized as a state normal school; and that the state superintendent shall be invested with such authority over said school as he now exercises over the recognized normal schools of the state.

SECTION 3. That the said Cumberland Valley State Normal school shall not be diverted from its design of training teachers for the common schools for the commonwealth without refunding to the state such moneys as it may receive under this act; and that prior to its acceptance as a state normal school no conveyance of the property of said school to any party or parties shall be valid unless said conveyance shall receive the signature of the superintendent of common schools.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1006.

A Further Supplement

To the act, entitled "An Act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company," approved the nineteenth of April, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporation created by the act, entitled "An Act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-four, and now called the Miners' Life Insurance and Trust Company, be and the same shall be hereafter known as and called the Miners' Trust Company Bank of Pottsville; that all life insurance privileges of the said company be and the same are hereby repealed, reserving to said company all the trust and other privileges thereunto belonging; and that hereafter said company, and the capital stock thereof, shall be subject to such

taxation as is now imposed upon banks created under the laws of this commonwealth, and none other.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1007.

A Further Supplement

To an act to regulate the sale of intoxicating liquors, approved the thirty-first day of March, Anno Domini one thousand eight hundred and fifty-six, and the supplement thereto, approved April eight, Anno Domini one thousand eight hundred and sixty-seven, so far as the same relates to the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act no person in the county of Mercer shall be licensed as brewer, distiller, keepers of wholesale or retail liquor houses, hotels or eating houses, until they shall have paid to the county treasurer in addition to the amount now required by law, as follows, viz: Brewers, distillers, wholesale and retail liquor dealers, the sum of three hundred dollars; hotels and eating houses, two hundred dollars; which sums shall be applied for the use of the poor, and have complied with all the requirements of this act and the act to which this is a supplement.

Amount of license required of distillers and dealers.

Petitioners to make oath.

SECTION 2. The petitioners in the said county of Mercer shall make oath that such house is required by the wants of the community or traveling public, and will be a benefit instead of an injury, and that the applicant is of good moral character and temperate habits.

Applicants for eating house licenses, to be citizens, &c.

SECTION 3. Persons applying for eating house license in the said county shall be citizens of the United States, and have resided within the county at least one year, and shall actually be prepared to furnish warm and cold meals as called for at all reasonable hours; any person obtaining license on false representations, shall have his or her license revoked, and suffer the penalties hereinafter provided for violations of this act.

Revocation of licenses.

Bonds of applicants.

SECTION 4. Every such application shall be accompanied by the bond of such applicant, in the penal sum of not less than

two thousand dollars, or such larger sum as the court may require, and such bond shall be executed by at least two sureties, who are worth in real estate, situated in said county, the amount of said penalty over and above their just debts; the condition of such bond shall be, that the applicant, if licensed, shall obey and keep all laws of this commonwealth, and that he shall pay all penalties, fines or damages that shall be adjudged against him, releasing all errors and waiving stay of execution, inquisition and exemptions.

SECTION 5. Any person who, in the county aforesaid, shall, either directly or indirectly, sell, vend, barter, exchange or give away, in the way of trade or profit, any vinous, spirituous, malt or brewed liquors, or admixture thereof, without first having obtained from the court of quarter sessions a license so to do, shall be guilty of a misdemeanor, and, on conviction thereof, shall, for the first offence, be fined not less than one hundred dollars, with costs of prosecution, including ten dollars attorney fee, and for the second offence shall be fined not less than two hundred dollars, and undergo imprisonment in the county jail of not less than ninety days.

Penalties for selling without license.

SECTION 6. Justices of the peace and a jury of six persons, in the county aforesaid, shall have concurrent jurisdiction with the court of quarter sessions in said county of all violations of this act; either party may, before a justice of the peace, demand a jury trial; and the proceedings shall be conducted in all respects the same as before the court of quarter sessions, except that the selection of the jury shall be in manner provided by section three, act of May first, Anno Domini one thousand eight hundred and sixty-one, relating to Erie and Union counties.

Justices and jury of six persons to have concurrent jurisdiction with court.

SECTION 7. Every husband, wife, child, parent, guardian, employer, or other person in the county of Mercer, who shall be injured in person or property, or lessened in their means of support, or reduced or degraded in their condition of life by any intemperate or intoxicated person, or in consequence of the intemperance or intoxication, habitual or otherwise, of a husband, wife, child, parent, guardian or other person, such husband, wife, child, parent, guardian or other person so injured, shall have a right of action in his or her own name, and for their own use, severally or jointly, against any person or persons who shall sell or give any such husband, wife, child, parent, guardian or other person any vinous, spirituous, brewed or malt liquors, or any admixture thereof, for all damages that the person or persons to whom such right of action may have accrued shall have therefor sustained, in consequence of the intemperance or intoxication of any of the persons heretofore named.

Persons to have right of action for injuries sustained from sale of liquors.

SECTION 8. The damages recoverable under the seventh section shall be actual, compensatory and exemplary; justices of the peace and a jury of six citizens, freeholders, to be selected as heretofore provided, shall have concurrent jurisdiction, to the amount of three hundred dollars, with the court of common pleas of the remedy provided by this section; and upon any trial under this section, any person so injured shall, upon proof being made of a single instance wherein the de-

Damages.

Justices and jury of six to have concurrent jurisdiction with court in actions for damages.

fendant has furnished either malt, brewed or distilled liquors, shall be liable for the whole amount of damages: *Provided*, That either party to the suit shall have the right to appeal, within five days next after the judgment was rendered, by or before a justice of the peace, under this act, after which time there can be no appeal from the judgment; when either party desires to appeal from the judgment rendered, they shall, to entitle them to do so, appear before the justice of the peace, within the five days aforesaid, and make affidavit that it is not for the purpose of delay that they desire to appeal the case, and that they really and truly believe that they can attain a more favorable judgment before a higher court. The party taking out the appeal shall, before such appeal is allowed, to pay all costs accrued before the justice of the peace, and give good and sufficient bond as security for the payment of all costs that may thereafter accrue; and in case the appeal is made by the party or parties against whom judgment has been rendered, such party or parties shall give good and sufficient bond, with one or more sureties, conditioned for the payment of the judgment rendered in the case, or so much of it as shall be found and adjudged by the higher courts; when an appeal is taken from the judgment rendered by or before a justice of the peace under this act, the justice shall make a true transcript from his docket of the proceedings and judgment had before him in the case, and certify to the correctness of the same over his hand and seal, and within seven days after such appeal has been taken, and deliver said transcript, in person, to the prothonotary of the court of common pleas of said county for record and trial; the justice shall tax, in the costs accrued before him, the sum of two dollars for delivering the transcript in person as above, and five cents for each mile he will be required to travel, going and returning from his office to the prothonotary's office; after the transcript has been delivered to the prothonotary, it shall be his duty to file the same, and enter the cause of record, and thereupon the case shall proceed as all other cases of appeal from judgments rendered by or before a justice of the peace.

Appeal.

Proceedings.

Fees of justices, jurors, constables, &c.

SECTION 9. On trials before a justice of the peace under this act, in addition to the cost already provided by law, the justice of the peace shall be entitled to receive five dollars for every trial, jurors one dollar each, constable fifty cents for every juror summoned, and fifty cents for every witness subpoenaed, and if convicted ten dollars attorney fee.

Owners liable for violations of law.

SECTION 10. The owner or lessor, person or persons in the county of Mercer, renting or leasing any building or premises for the purpose of intoxicating liquors being sold therein, or having leased it for other purposes, and shall knowingly permit their sale therein in violation of law, shall be liable, severally or jointly, with the person or persons selling or furnishing contrary to law, for all the penalties recoverable under this act.

Violation of license law to work forfeiture of lease.

SECTION 11. The selling or giving any intoxicating liquors in the county of Mercer, in violation of any law of this state or the terms of any lease, shall work a forfeiture of any lessee; and the owner or lessor of any building or premises

shall upon such forfeiture be entitled to and have a peremptory writ of possession issued by any justice of the peace, and executed by any constable by delivering said building or premises to the owner or lessor.

SECTION 12. All the property, both personal and real, of any person who shall be convicted under the provisions of this act, and of his sureties, shall be liable for such fines and damages, free from all exemptions, inquisitions or stay of execution. No property exempt.

SECTION 13. All fines and penalties imposed under this act, together with the costs, shall be paid when sentence is pronounced, or the defendant stand committed until paid, and the courts shall order the fines to be paid to the treasurer of the school district in which the offence was committed. Payment of fines and penalties.

SECTION 14. It shall be the duty of every constable or policeman in the county of Mercer, to search for and return the court of quarter sessions, any person violating this act, together with the names of all witnesses of the violation, stating whether he believes this law to have been violated by any person in any respect; and on refusal so to do, of his own accord, or when notified by any person, he shall on complaint made to the judges of the court of quarter sessions, be dismissed from office and his place supplied by the appointment of some suitable person by the judge of the court of quarter sessions; every justice of the peace, on complaint to him by any officer or other person, shall issue his warrant against any person who is charged with violating this act, and on such person being brought before him, the trial shall proceed as provided by this act; and the costs of such proceedings shall be the same as provided in section nine of this act. Duty of constables. May be dismissed for neglect.

SECTION 15. This act shall not interfere with any existing law applicable to druggists or apothecaries. Not applicable to druggists, &c.

SECTION 16. All laws or parts of laws conflicting with any of the provisions of this act, be and they are hereby repealed so far as not to interfere with the working of this act: *Provided*, That this act shall not interfere with cases now pending. Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1008.

An Act

Relating to the roads in Cumberland, Franklin and Centre townships,
in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the qualified voters in Cumberland, Franklin and Centre townships, Greene county, at their next township election, to elect suitable persons to serve as supervisors, one for one year, one for two years and one for three years, and one person annually thereafter, to serve for three years, any two of whom may constitute a quorum to do business, and whose duty it shall be, within twenty days after their election, and every three years thereafter, to lay out and divide all the public highways in said townships into sections, not exceeding one-half mile in length, which they shall number and describe in a book kept by them for that purpose; they shall also distinctly specify therein what they may deem necessary for the improvement and keeping in repair each section of said public highways for the term of three years.

SECTION 2. That it shall be the duty of said supervisors to expose all the said public highways, one section at a time, at public sale, to the lowest and best bidder, commencing on the third second day in the fourth month next, and to continue from day to day until all are sold, and every three days thereafter, of which sale at least ten days' notice shall be given, by not less than twelve handbills posted in the most public places in said township: *Provided,* That any person not holding property subject to execution and sale for debt, under the existing laws of the state, shall give such security for the performance of every contract so purchased as the supervisors may require.

SECTION 3. That the supervisors shall divide all roads that may hereafter be laid out in said townships, into sections not exceeding one-half mile in length, number and describe them, specify the nature and character of the work to be done, et cetera, as provided, within twenty days of the time they receive the order for the opening of any road, and after giving ten days' notice thereof, shall proceed to sell the same at public vendue, in manner and form already provided, for such a length of time as they may deem necessary for the opening of the same; after which they shall be kept in repair in the same manner as other roads in the townships.

SECTION 4. That it shall be the duty of each purchaser to write his or their name, and the sum he or they are to receive for repairing his or their section or sections, in the supervisor's book, under the description thereof; and any contractor

Election of
supervisors.

Quorum.

To divide roads
into sections.Sections to be
exposed to sale.

Notice of sales.

Security for per-
formance of
contract.

New roads.

Purchasers to
sign names in
book.

or contractors neglecting or refusing to keep his or their section or sections in repair in conformity thereto, upon complaint of any citizen of said township made to the supervisors thereof, it shall be their duty to examine thereinto within four days, and if they deem the complaint well founded, to give notice thereof to the party or parties so complained of, and request him or them to put his or their portions of road in good repair within six days thereafter; and if he or they shall still neglect or refuse to repair the same, it shall be the duty of the said supervisor to have the same put in good repair, and the costs of said repairs shall be recoverable by said supervisors off said contractor or contractors, as other of equal amount are by law recoverable, with costs of suit; and if either of the supervisors holding contracts neglect or refuse to fulfil the same in accordance with the written specifications, it shall be the duty of the township auditors, or any two of them, upon complaint of any citizens of the township made to them, to visit the section or sections so complained of within four days, and if they deem the complaint well founded, to give notice thereof to the supervisor or supervisors so complained of, and request him or them to put his or their portion of the road in good repair within six days thereafter; and if said supervisor or supervisors still neglect or refuse to repair the same, it shall be the duty of said auditors to have the same put in good order, and the cost of said supervisor or supervisors in manner and form hereinbefore provided for other delinquent contractors.

Proceedings when contractors fail to keep roads in repair.

Duty of auditors when supervisors fail.

SECTION 5. That it shall be the duty of the supervisors to inspect all the roads in the township at least once in two months, and if they find any contractor or contractors have neglected to fulfil his or their contract or contracts, to give notice thereof, as provided in the preceding section, in case of complaints being made, and to enforce the same.

Inspection of roads.

SECTION 6. That it shall be the duty of the supervisors, as soon as practicable after the sale of said public highways, and annually thereafter, to proceed to lay such a rate of tax as will meet the sale and other expenses incident to making and keeping in repair said public highways in each year; and in no case, except such as are hereinafter provided for, shall any contractor or contractors receive more than one-third part of the amount of their sales in any one year.

Tax.

SECTION 7. That it shall be lawful for any contractor or contractors, who may remove out of the township, to yield up to the supervisors the unexpired portion of his or their contract or contracts, by giving due notice thereof in writing, at least twenty days before the next election for supervisors; and the unexpired term of such contract or contracts so yielded up, and any section of new road that may have been opened, shall be sold at private sale by the supervisors for the unexpired portion of the tri-ennial term: *Provided*, That in case of death or removal out of the township, the supervisors shall pay to the representatives of such person so deceased, or such person so removing, such portions of the money specified in their respective contracts as they shall believe them justly entitled to.

Unexpired contracts.

Bids may be re-
jected.

SECTION 8. That the supervisors shall have the right to reject any bids they may deem too high, and sell such section or sections at private sale.

Accounts and
compensation.

SECTION 9. That the supervisors shall each keep a regular account of the kind of services performed by them, with the date thereof, and they shall be allowed such compensation therefor as the auditors of the township may deem just and equitable, for every day necessarily employed in discharging the duties of their office.

Penalty for ne-
glect of duties
by supervisors.

SECTION 10. That any supervisors, duly elected, neglecting or refusing to perform the duties herein assigned him, shall be subject to all the fines and penalties as now provided by law.

Repeal.

SECTION 11. That all such parts of the existing road law of said township, as are inconsistent with this act, are hereby repealed.

Present super-
visors to pro-
ceed under act.

SECTION 12. That the powers and duties of this act are hereby conferred upon the supervisors now in office in said townships, any two of whom shall be a quorum, who are hereby required to proceed forthwith to perform the several duties enjoined by the several sections of this act.

JAMES H. WEBB,
Speaker of the House of Representatives.

J. D. DAVIS,
Speaker of the Senate *pro tem*.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1009.

An Act

To authorize the appointment of a notary public for the town of Catawissa.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and he hereby is authorized to appoint a notary public in and for the town of Catawissa, in the county of Columbia.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1010.

An Act

Regulating the fees of notaries public in Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to fees of notaries public in the county of Montour," approved the eighteenth day of April, Anno Domini one thousand eight hundred and sixty-seven, be and the same are hereby extended to the county of Columbia.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1011.

An Act

Authorizing the borough authorities of the borough of Sharpsburg, in the county of Allegheny, to levy and collect a special tax for the purpose of erecting a lock-up house in said borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate authorities of the borough of Sharpsburg, in the county of Allegheny, be and are hereby authorized, on or after the first day of April, in the year of our Lord one thousand eight hundred and seventy-one, to levy and collect, for the purpose of erecting a lock-up house in said borough, a special tax of five mills on the assessed valuation of the taxable property of said borough.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1012.

A Supplement

To an act relating to hawkers and pedlers, or traveling merchants, in the counties of Lebanon and Wyoming, passed March twentieth, one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to hawkers and pedlers, or traveling merchants, in the counties of Lebanon and Wyoming," passed March twentieth, Anno Domini one thousand eight hundred and sixty seven, shall not apply to such persons as are engaged in selling goods, wares and merchandise, whether foreign or domestic, by wholesale from wagons to merchants: *Provided,* The persons offering to sell has first obtained and paid the license required for state purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1013.

An Act

For the relief of James De Golyer, a soldier of the war of eighteen hundred and twelve.

WHEREAS, James De Golyer served as a soldier in a New York regiment during the entire war of eighteen hundred and twelve:

And whereas, The said De Golyer is now and has been for twenty years a resident of the state of Pennsylvania, and cannot therefore draw a pension from the state of New York:

And whereas, The said De Golyer is entirely unable to support himself, and has no friends who are able to support him; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be and he is hereby authorized and required to pay to James De Golyer, of M'Kean county, a soldier of the war of eighteen hundred and twelve, a gratuity of forty dollars and an annuity of forty dollars per annum, payable semi-annually, commencing January first, Anno Domini one thousand eight hundred and seventy-one: *Provided*, That when the said James De Golyer receives a pension from the United States the pension allowed by this act shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1014.

An Act

Extending the provisions of the act, entitled "An Act relative to the distribution of the proceeds of sheriff's sales of real estate in the county of Allegheny," approved April tenth, one thousand eight hundred and sixty-two, to the county of Lehigh.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to the distribution of the proceeds of sheriff's sales of real estate in the county of Allegheny," approved April tenth, one thousand eight hundred and sixty-two, be and the same are hereby extended to the county of Lehigh.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1015.

An Act

For the relief of Joseph De Long, a soldier of the war of eighteen hundred and twelve.

WHEREAS, Joseph De Long, of M'Kean county, served for nine months as a soldier in the war of eighteen hundred and twelve, in a New York regiment :

And whereas, Said De Long has for thirty years resided in the state of Pennsylvania, and for that reason is not entitled to a pension under the laws of the state of New York :

And whereas, The said De Long is now in indigent circumstances ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer be and he is hereby authorized and required to pay to Joseph De Long, of M'Kean county, a soldier of the war of eighteen hundred and twelve, a gratuity of forty dollars and an annuity of forty dollars per annum, payable semi-annually, commencing January first, Anno Domini one thousand eight hundred and seventy-two.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1016.

A Supplement

To the act to prevent horses and cattle from running at large in the townships of Derry, Londonderry, Swatara, Lower Swatara, Middletown and Susquehanna, in the county of Dauphin, approved April second, one thousand eight hundred and sixty-nine, extending the same to the township of Mifflin and the borough of Berrysburg, in the county of Dauphin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That the act to prevent horses and cattle from running at large in the township of Derry, Londonderry, Swatara, Lower Swatara, Susquehanna, and the borough of Middletown, in the county of Dauphin, approved April second, one thousand eight hundred and sixty-nine, be and the same is hereby extended to the township of Mifflin and the borough of Berrysburg, in the county of Dauphin.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 1017.

An Act

To prevent certain animals from running at large in Cherry township, Sullivan county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to prevent horses, cattle, mules, sheep and swine from running at large in Forks township, in the county of Sullivan," approved eighth of March, one thousand eight hundred and seventy, be and the same are hereby extended to the township of Cherry, in the same county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1018.

A Further Supplement

To an act incorporating the city of Carbondale.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Election of marshal, relative to.

That at the election for representatives in the year of our Lord one thousand eight hundred and seventy-one, and triennially thereafter, the citizens of the city of Carbondale, qualified as set forth in act of fifteenth March, eighteen hundred and fifty-one, and the citizens of the districts within the jurisdiction of the mayor's court of said city, shall elect one citizen of the commonwealth of Pennsylvania for marshal of said city and the districts pertaining thereto; the returns of which said election for marshal shall be made by the return judges of the districts over which said mayor's court has jurisdiction, at the court house in said city, at twelve o'clock morning of the day following the election, and said returns to be filed in the office of the clerk of said court.

Repeal.

SECTION 2. That all acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1019.

An Act

To incorporate the village of Riverside, in the county of Northumberland, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Borough of Riverside, incorporated.

That the village of Riverside, in Northumberland county, shall be and the same is hereby erected into a borough, which shall be a body politic and corporate, and called by the cor-

porate name of the borough of Riverside, bounded and limited as follows, to wit: Beginning at a stone in the centre of the public road leading from Danville to Sunbury; thence by land now or late of Harman Gearhart's heirs north six degrees and thirty minutes west one hundred and twelve and one-half perches to a post; thence by the same north forty-two degrees and fifteen minutes east twenty perches to a post on the bank of the river Susquehanna; thence down the river north forty-nine degrees and fifteen minutes west twenty perches; thence north fifty-one degrees and fifteen minutes west forty-four perches; thence north fifty-nine degrees and fifteen minutes west seventeen perches; thence north seventy-one degrees and fifteen minutes west thirty-five perches; thence north seventy-five degrees and fifteen minutes west four perches and eight-tenths of a perch to a post; thence down the river north seventy-five degrees and fifteen minutes west thirty-one perches and two-tenths of a perch; thence north eighty-one degrees and forty-five minutes west twenty-seven perches; thence south ninety-one degrees west twenty-six perches to a stone on the bank of the river and in line of land of Peter Mourer; thence along the land of said Mourer and across the land of the Danville, Hazleton and Wilkesbarre Railroad Company south nine degrees and ten minutes east seventy-nine perches to a post; thence by land of said railroad company south eighty-two degrees west thirteen perches and six-tenths of a perch to a post; thence along the land of Samuel Gulick south seven degrees east one hundred and nineteen and one-half perches to the centre of the public road leading from Danville to Sunbury; thence along said public road north seventy-nine degrees and fifty minutes east seventeen perches and eight-tenths of a perch to a post; thence along public road north eighty-one and one-fourth degrees east sixty perches and seven-tenths of a perch to a post; thence along public road north eighty-four degrees and ten minutes east fifteen perches and seventy-five hundredths of a perch to a post in the centre of public road, and road leading to Torrences; thence along road leading to Torrences south seven degrees east and one hundred and forty-five perches and nine-tenths of a perch to a post in the centre of road; thence along land of George Unger north eighty and one-quarter degrees east eighty-one and one-fourth perches to a post; thence by lands of George Unger and the Mount Vernon Cemetery Association south six degrees and thirty minutes east thirty-two perches and four-tenths of a perch to a post; thence by land of widow Yorks south eighty-three and one-quarter degrees west thirty-four perches and nine-tenths of a perch to a post in run; thence north seventeen degrees east twenty perches and three-tenths of a perch to a post; thence north eighty-nine degrees west twenty perches to a cherry tree; thence north seventeen degrees east eighty-four and one-fourth perches to a post near a chestnut tree; thence by land now or late of Harman Gearheart's heirs north fifty-eight and one-half degrees west sixty-two and one-half perches to a post; thence north eight degrees west eleven perches and one-tenth of a perch to a post in centre of Sunbury road; thence along

Boundaries.

said public road north eighty-three and one-half degrees west forty-eight and one-half perches to a stone in the centre of public road the place of beginning.

Powers and privileges.

SECTION 2. That the said corporation, by the name of the borough of Riverside, shall have perpetual succession, the right to sue and be sued, to complain and defend in all courts of record and elsewhere, to make and use a common seal, and alter the same at pleasure, and to purchase, acquire, hold, sell and convey real and personal estate, and shall be subject to all the provisions of the act of third of April, one thousand eight hundred and fifty one, regulating boroughs, and its several supplements, so far as the same are not inconsistent with this act.

Borough officers

SECTION 3. The powers of the corporation shall be vested in a chief burgess and in a town council, to be composed of six members, chosen annually, and in such other officers as may be authorized by law.

First officers, appointed,

SECTION 4. Until the first borough election, Edward Crompton shall be chief burgess, and A. Motzenbacher, W. Yeager, Daniel Leiby, W. A. Miller, Joel T. Baily and O. H. Ostrander shall be the members of the town council, and Daniel Lynn shall be high constable; and at said first election, and annually thereafter, the proper number of persons shall be chosen to said offices by the electors of the borough.

School directors

SECTION 5. Until the said first borough election, J. W. Scott, William Faux, O. Longacre, Daniel Huber, B. G. Welsh and C. P. Gearhart shall constitute the board of school directors for said borough; and at said first election the electors of the said borough shall choose six school directors, two to serve one year, two to serve for two years, and two to serve for three years; and annually thereafter two directors shall be chosen for three year terms to fill vacancies in said board.

Justices.

SECTION 6. Two justices of the peace shall be authorized for said borough, and those offices shall be filled at the first borough election; and at the same time and every third year thereafter, three town auditors shall be chosen for three year terms.

Auditors.

Elections.

SECTION 7. That the election under this act shall be held at the public school house in said borough, and be regulated, controlled and governed by the laws of said commonwealth regulating boroughs, except as is otherwise provided by this act.

Time of first election.

SECTION 8. That the first election for said borough shall be held on the third Friday of March next, and the subsequent annual elections shall be held at such times as may be fixed by general laws for township and borough elections throughout the commonwealth.

Care of poor, relative to.

SECTION 9. The burgess and town council of said borough shall have the care of the poor of said borough, and all the powers and duties of overseers of the poor shall be exercised and performed by them, subject to such penalties for neglect of duty as is provided by the laws of this commonwealth for the care of the poor.

Free vote.

SECTION 10. The election of councilmen and other officers of said borough, including school directors and justices of

the peace, shall be upon the plan of the free vote, and according to the provisions of the fourth section of the Bloomsburg act of fourth March, one thousand eight hundred and seventy, so far as the same can be applied; and the filling of vacancies in the offices of said borough shall be according to the fifth section of the same act, by the court of common pleas of Northumberland county. Vacancies.

SECTION 11. That nothing in the provisions of this act shall be construed as authorizing now, or at any future time, a change of the present township or public road leading from Danville to Sunbury. Danville and Sunbury road.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1020.

An Act

To allow mileage to the commissioners of Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the commissioners of the county of Juniata, in the said commonwealth, shall in addition to the daily pay now allowed them by law, be entitled to receive, out of the county funds, the sum of six cents a mile circular, for every mile necessarily traveled by them in the performance of their official duties.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1021.

An Act

Regulating the compensation of witnesses in the courts of Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the compensation of witnesses in attendance at the several courts of Columbia county shall be at the rate of one dollar per day, with the usual mileage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1022.

An Act

To incorporate the borough of Pleasant Valley.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the village of Pleasant Valley, in the township of Pittston, county of Luzerne, shall be and the same is hereby erected into a borough, which shall be a body politic and corporate, and called by the corporate name of the borough of Pleasant Valley, bounded and limited as follows, to wit: Beginning at what is known as the White Bridge, on the Lehigh and Susquehanna railroad, south-east of the Lehigh Valley railroad breaker, and running thence in a north-easterly direction east of William Webber's house, at the head of plane number three, on the Pennsylvania Coal Company's railroad, and east of Dawsore's shaft and Brown's colliery, to a road running east and west; thence along said road west to the Pennsylvania Coal Company's loaded track; thence along said track back to a wagon road running from Brown's colliery to Pleasant Valley; thence along said road to Main street, Pleasant Valley; thence along said Main street about fifty

Borough of Pleasant Valley, incorporated.

Boundaries.

yards, to a wagon road running to Little York; thence along said wagon road to the Lehigh and Susquehanna railroad; thence along said railroad north to the line of Caleb Leidy's lot, sold to C. L. Stark; thence along the line of said lot in a westerly direction, to a road running from Little York to J. D. Miller's land; thence in a southerly direction to where the wagon road from Pleasant Valley to Huglestown crosses the Pennsylvania Coal Company's railroad loaded track; thence along said loaded track towards Pittston, to line of John Mosier's land; thence from said Mosier's land in an easterly direction, to the head of Plane number twenty-two, Pennsylvania Coal Company's railroad, and thence in an easterly direction to the said Lehigh and Susquehanna Railroad Company's bridge, the place of beginning.

SECTION 2. That the said borough constitute a separate school and election district, and that the place for holding the first and all subsequent elections shall be at the public house now occupied by M. F. Reap; and that said elections shall be regulated and controlled by the laws of this commonwealth regulating boroughs, except as is otherwise provided by this act.

Separate school and election district.

SECTION 3. The powers of the corporation shall be vested in a burgess and town council, composed of three councilmen, and such other officers as may from time to time be authorized by the ordinances or by-laws of the borough council.

Borough officers

SECTION 4. That the first election under this act shall be held on the second Tuesday in May, eighteen hundred and seventy-one, by a judge and two inspectors of election, to be appointed by the court of quarter sessions in and for the county of Luzerne; and at said election there shall be elected one person for burgess, to serve one year; three persons for councilmen, one to serve one year, one to serve two years, and one to serve three years; the term of office to be determined by lot, by the parties elected after the election; one person for judge, and two persons for inspectors of election; one person for assessor; three persons for borough auditors, one to serve one year, one to serve two years, and one to serve three years; six persons for school directors, two to serve one year, two to serve two years, and two to serve three years, and one person for high constable, to serve for one year, together with the officers herein mentioned in this act, or may be by law required.

Court to appoint officers for first election.

Offices and terms.

SECTION 5. That the burgess and town council of the said borough shall have power to levy and collect taxes in said borough, for borough purposes, and expend the same in accordance with the general laws of this commonwealth regulating boroughs.

Taxes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1023.

An Act

To enable David Fouse and Harris Richardson, collectors of taxes in Hopewell and Lincoln townships, Huntingdon county, to collect unpaid taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Fouse, who was appointed collector of school and bounty taxes for the year one thousand eight hundred and sixty-four, and of state, county, school and bounty tax for the years one thousand eight hundred and sixty-five and one thousand eight hundred and sixty-six, in Hopewell township, and of state, county and bounty tax for the year one thousand eight hundred and sixty-seven, in Lincoln township, Huntingdon county; Harris Richardson, who was collector of county, state, school and bounty tax for the year one thousand eight hundred and sixty-eight, in Lincoln township aforesaid, are hereby respectively allowed one year from the date of the passage of this act to make return, in pursuance of the warrants issued to each of them; and that the said warrants, so issued to them respectively, shall have the same force and effect as though issued at the date of the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1024.

An Act

Supplemental to the act to provide for the reduction of the public debt, approved April twenty-second, one thousand eight hundred and forty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That within ten days after the passage of this act it shall be the duty of the judges of the court of common pleas, in and for the city and county of Philadelphia, to appoint two additional persons as mercantile appraisers for the city of Philadelphia, whose duties, powers, privilege and restrictions shall be the same as the mercantile appraisers authorized by the act to which this is a supplement.

Additional mercantile appraisers for Philadelphia.

SECTION 2. That it shall be the duty of the said judges, annually hereafter, in the month of January, to appoint five persons as mercantile appraisers, instead of three, as is now required by law, two persons of which shall be from the minority party of said judges.

Duty of judges.

SECTION 3. That in addition to the services required by law to be performed by the said mercantile appraisers, it shall be their duty to make an annual return to the city treasurer of the names and residence of all persons engaged in the manufacture or sale, either at wholesale or retail, of any vinous, malt or spirituous liquors within the limits of the city of Philadelphia; and in case the said city treasurer shall find that any such persons, so returned, are engaged in the prosecution of either of the branches of said business without a proper license, it shall be his duty forthwith to return the names of all such persons to the district attorney, who shall proceed at once against all such offenders as the law requires; the said mercantile appraisers shall be entitled to a fee of sixty-two and one-half cents for every name returned by them to the city treasurer, to be paid by said officer and deducted from the amount collected for the state for license fees.

Appraisers to return to treasurer names of manufacturers and dealers in liquors.

District attorney to proceed against persons not licensed.

Fees.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1025.

An Act

Relating to Sycamore and Forty-first streets, in the Twenty-fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Sycamore and Forty-first streets, as laid down on the confirmed plan of the city of Philadelphia, but not opened

between the south-westerly side of Lancaster avenue and north-easterly side of Mary street, in the Twenty-fourth ward of the city of Philadelphia, be and the same are hereby vacated; and that said Forty-first street, be laid down on the said plan sixty feet wide between the points named, so that the west line thereof shall be the west line of an old forty feet wide road, laid out from said Lancaster avenue to said Mary street; the eastern line of said Forty-first street, south of Mary street, to be continued direct north of said Mary street, until it strikes a point sixty feet distant from the west side of said forty feet wide road.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1026.

A Supplement

To an act to enable the governor to incorporate a company to make an artificial road by the best and nearest route from the town of Hanover, in the county of York, to the Maryland line, at or near the place the turnpike from Baltimore to the state line, towards Hanover, will strike the same, passed the twenty-second day of February, Anno Domini one thousand eight hundred and eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Width of road,
reduced.

That the eleventh section of the act to which this is a supplement be and the same is hereby amended, modified and changed; that the width of the artificial road, which the president, managers and company of the Hanover and Maryland Line Turnpike Company are required to make, is and shall be reduced from twenty-one feet to sixteen feet, if the said president, managers and company shall so determine; and that said reduction in width shall not affect or diminish the right now possessed by said company to collect tolls on said road.

Number of
managers.
Quorum.

SECTION 2. That the number of managers of said company be reduced from twelve, as now fixed by the said charter, to six, four of which shall constitute a quorum for the transaction of business; and that so much of the charter of said

company as may be inconsistent with this change be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1027.

A Supplement

To the acts approved April eighth, one thousand eight hundred and sixty-seven, and March twelfth, one thousand eight hundred and sixty-nine, authorizing the school directors of Irwin borough to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of the borough of Irwin, in Westmoreland county, are hereby authorized and empowered to pay eight per cent. per annum for the use of all moneys borrowed or to be borrowed by them in pursuance of the authority conferred on them by acts of assembly of April eighth, one thousand eight hundred and sixty-seven, and March twelfth, one thousand eight hundred and sixty-nine, to which this is a supplement: *Provided*, That the whole amount so borrowed by them shall not exceed thirteen thousand dollars at any one time, and that the bonds for said money shall be free from taxation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1028.

An Act

Relating to the election of supervisors in the townships of North and South Buffalo and Kittanning, in the county of Armstrong, and defining their duties.

- SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Election of supervisors. That it shall be lawful for the qualified voters of the townships of North and South Buffalo and Kittanning, in the county of Armstrong, at the next election of supervisors, to elect three persons to serve as supervisors in each township, one for one year, one for two years, and one for three years, and one person every year thereafter, to serve for three years.
- To divide roads into sections. *SECTION 2.* It shall be the duty of the supervisors aforesaid to lay out and divide all the public highways in said township into sections, not exceeding one-half of a mile in length, which they shall number and describe in a book kept by them for that purpose, at the same time distinctly specifying therein what improvements and repairs they may deem necessary for each and every section of said public highways for the term of three years.
- Sections to be sold. *SECTION 3.* It shall be the duty of said supervisors, in at least two suitable places in said township, to expose all the said public highways, one section at a time, previously making known the description and necessary improvements of the same, at public sale, to the lowest and best bidder; which sales shall take place not later than the first Monday of May next ensuing their election, and of which at least ten days' notice shall be given, by handbills posted in all the most public places throughout the said township.
- Notice of sales.
- Unopened roads *SECTION 4.* If there are any public roads now laid out and unopened, or if any shall hereafter be laid out, it shall be lawful at any time after receiving order to open the same, due notice being given, to sell the same in the manner already provided, for such a length of time as may be deemed necessary for the opening of the same, after which they shall be kept in repair as the other roads in the township.
- When private contracts may be made. *SECTION 5.* When any sections remain unsold for want of bidders, or when a new road has been opened, as before provided, or when any sections are relinquished by reason of the death or removal of purchasers, it shall be lawful for the supervisors to make private contracts for repairing such sections, for a time in no case exceeding the then remaining portion of the aforesaid term of three years.
- Duty of purchasers. *SECTION 6.* It shall be the duty of all purchasers to perform all work on their respective sections between the first day of May and the first day of September, each year, except when incidental repairs are needed at other times.

SECTION 7. It shall be the duty of each purchaser to write his name and the sum he is to receive for his section in the supervisor's book, under the description thereof; and any purchaser neglecting to keep his section in repair, upon complaint of any citizen of said township made to the supervisors, they shall examine thereinto within three days, and if they find the complaint well founded, shall require him to put the road complained of in good repair within ten days thereafter; and if he still neglect or refuse, it shall be the duty of the supervisors to have the same put in good repair, and the expenses thereof, with costs of suit, shall be recoverable by them from said delinquent.

Purchasers to sign names in book.

Complaints for neglect to keep sections in repair.

SECTION 8. It shall be the duty of the supervisors to inspect or otherwise ascertain the condition of all roads at least once in three months, and if they find that any contractor has neglected to fulfil his contract, they shall give him notice and in all other respects proceed as already provided in the case of complaints.

Inspection of roads.

SECTION 9. It shall be the duty of the supervisors, as soon as practicable after the sale of the roads, to levy such a rate of taxes, and provide for collecting the same in current money, as will meet the expense of making and keeping the roads in repair as determined by the sales, together with such other expenses as are necessarily connected therewith, for the term of three years: *Provided*, That not more than one-third of the whole amount of such tax shall be collected in any one year.

Taxes.

SECTION 10. The supervisors shall in no case pay to contractors in any one year more than one-third of the entire amount which, according to the sales aforesaid, they are entitled to receive for the term of three years: *Provided*, That in case of death or removal out of the township, they may pay to the representative of such person deceased, or to such person removing, such a portion of the amount specified in the contract as they may think them justly entitled to receive.

Payment of contractors.

Proviso.

SECTION 11. The supervisors shall each keep a strict and regular account of the kind and amount of services performed by them, together with the date thereof, and they shall be allowed one dollar and fifty cents each for every day necessarily employed in the discharge of the duties of their office; they shall, moreover, keep a full and accurate account, in a book provided for that purpose, of all moneys received as well of moneys expended or retained by them, and at the expiration of their term of service shall present said accounts, duly attested by them on oath or affirmation before a justice of the peace, to the auditors of the township at their regular meeting; and it shall be the duty of the said auditors to settle and adjust the said accounts, and if there shall appear to be any money remaining in the hands of the supervisors aforesaid, they shall direct the same to be paid to the succeeding supervisors; but if they shall find that the tax levied has been carefully collected and has not been sufficient to meet the cost of repairing the roads, together with the other expenses necessarily connected therewith, they shall order the succeeding supervisors to make up such deficiency to their predeces-

Accounts and compensation.

Duty of auditors.

sors in office as soon as a sufficient sum of money shall come into their hands.

Penalties for neglect of duties by supervisors.

SECTION 12. Any supervisor duly elected, neglecting or refusing to perform the duties herein assigned to him, shall be subject to all the fines and penalties now provided by law.

Repeal.

SECTION 13. Such parts of the existing road law of said township as are inconsistent with this act are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1029.

An Act

To abolish the dog tax on dogs in the township of West Nottingham, county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to taxing of dogs in Nottingham township, Chester county," approved March twenty-fourth, one thousand eight hundred and fifty-nine, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1030.

An Act

Authorizing the treasurer of Allegheny county to pay road and county tax of the late townships of Pitt, Collins, Peebles, Liberty and Oakland, to the treasurer of Central Board of Education of the city of Pittsburg, and the treasurer of the late township of Oakland, to settle with the Oakland school board.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the county of Allegheny is hereby authorized and empowered to pay to the treasurer of the Central Board of Education of the city of Pittsburg, all road and bounty taxes collected by him belonging to the late townships of Pitt, Collins, Peebles, Liberty and Oakland.

Payment of road and bounty taxes to treasurer of Central board of education, authorized

SECTION 2. The treasurer of the Central Board of Education shall pay to the several sub-school districts that now comprise the whole or any part of one of said townships, their *pro rata* share of said road and county taxes received by him.

Sub-districts to receive pro rata.

SECTION 3. That the treasurer of the late township of Oakland, now the Fourteenth ward, city of Pittsburg, is hereby authorized and empowered to pay the balance that may be in his possession as treasurer of the late Oakland township, to the Oakland sub-district school board, and upon payment of said balance shall be released from all liability as treasurer of Oakland township.

Treasurer of Oakland township may pay balance in his possession to school board.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1031.

An Act

Establishing a board of trustees of the law library of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Library to be under control of trustees.
Of whom composed.

Powers of board

Treasurer to pay warrants not exceeding \$3,000.

Purpose of appropriation to be stated in warrants.

That law library of the county of Schuylkill shall hereafter be under the exclusive control and management of a board of trustees, composed of the law judges of the court of common pleas of said county, by virtue of their offices, and of three members of the bar of said county, who shall be appointed by the said judges, in the beginning of each year, to serve for the ensuing year; that the said board of trustees shall have power, and it is hereby authorized, to purchase books and other necessary articles for said library, and make necessary improvements to the said library, and to draw warrants or orders for the payment of the same, upon the treasurer of said county, for any amount not exceeding three thousand dollars in any one year; and the said treasurer is hereby authorized and required to pay all such warrants or orders, not exceeding three thousand dollars in any one year, out of the moneys in his hands belonging to the said county, upon presentation of the said warrants or orders, signed by the president or law judge of the said court, and attested by the secretary of the said board of trustees; and the said treasurer shall charge the same to the said county.

SECTION 2. That in all warrants or orders drawn as aforesaid, by the said board of trustees, the purpose of the appropriation shall be stated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1032.

A Further Supplement

To the Williamsport Hall and Market Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the president and directors of the Williamsport Hall and Market Company to fix the value and represent its property by shares of capital stock of twenty-five dollars each, and to have power to increase the same from time to time, as two-thirds of the board of directors may determine, and may from time to time dispose of any increase of their stock, at such rates as they may deem proper: *Provided,* That the president and directors shall first offer the

Increase of capital stock, &c.

same to the stockholders pro rata; and in the event of any of them declining or failing to take the same within twenty days after notice thereof, the amount not taken may be sold or otherwise disposed of by the board of directors for the benefit of the company.

SECTION 2. That the president and directors of said company shall have power to borrow money from time to time, in such sums as they may deem proper, and at any rate not exceeding seven and three-tenths per cent. per annum, and may issue bonds therefor and secure the same by a mortgage or mortgages of the property, together with the corporate rights and franchises of said company: *Provided*, That the amount so borrowed shall not exceed one-half of the capital stock of said company. May borrow money.
Limit.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Spèaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1033.

An Act

Relating to the West Branch Lumber Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the West Branch Lumber Company shall, after July first, one thousand eight hundred and seventy-one, in lieu of of all other taxes now due, or that may hereafter become due, pay annually ten dollars on every million feet of lumber they sell; they shall make, on the first day of August, one thousand eight hundred and seventy-two, and annually thereafter, returns to the auditor general of the amount of lumber sold for the year ending the next preceding July first; and said returns shall be sworn to by their president and secretary.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1034.

An Act

To provide for making and repairing the public roads in West Nottingham township, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to roads and public highways in Fulton and Salisbury townships, Lancaster county," approved April sixteenth, one thousand eight hundred and sixty-eight, be and the same are extended to the township of West Nottingham, Chester county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1035.

An Act

To repeal an act for the protection of farmers against the ravages of wild cats and foxes in the county of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act for the protection of farmers against the ravages of wild cats and foxes in the county of Franklin, approved the first day of April, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1036.

An Act

Requiring the owners and renters of lands in Lack township, Juniata county, to keep and maintain sufficient fences around their enclosures.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all owners and renters of lands and property in the township of Lack, Juniata county, shall be required to keep up and maintain a good and sufficient fence around their enclosures, of a height of not less than four feet and a-half, and sufficiently close to prevent the entrance through the same of hogs and sheep.

Property owners and renters required to keep up fences.

SECTION 2. That if a fence of the character mentioned in the preceding section of this act is not made, kept up and maintained by the owners and renters of the lands aforementioned, and on that account cattle, sheep, horses, hogs or other stock get in upon or roam over the same, to their annoyance of the same, damages shall not be allowed or recoverable by law.

Damages not recoverable unless law is complied with.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1037.

An Act

To prevent the growing of white daisy in the townships of Mead and Rockdale, in the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, approved April ninth, one thousand eight hundred and sixty-nine, entitled "An Act to prevent the growing of white daisy in the townships of Conneant, Summit and Pine, in the county of Crawford," be and are

hereby extended to the townships of Mead and Rockdale, in said county, and to the owners and occupiers of lands therein.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1038.

An Act

To authorize the governor to appoint an additional notary public for the county of Clearfield, and three for Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and is hereby authorized and empowered to appoint one additional notary for the county of Clearfield, and three for Allegheny county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1039.

An Act

Providing for an equitable division of property between Allegheny county and city of Pittsburg.

Preamble.

WHEREAS, By an act of assembly, entitled "A further supplement to the acts incorporating the city of Pittsburg, extending its boundaries, enlarging its corporate powers and

perfecting its municipal organization, and submitting the proposed consolidation to a vote of the people," approved April fifth, Anno Domini one thousand eight hundred and sixty-seven, certain parts of Allegheny county, viz: The borough of Lawrenceville and the townships of Pitt, Oakland, Collins, Liberty and Peebles were by said act, and proceedings in pursuance of the provisions thereof, annexed to and consolidated with the city of Pittsburg:

And whereas, Before and at the time of said consolidation the said borough and said townships formed a part of the poor district of Allegheny county, known as the Allegheny County Home, and as such had an interest in the poor house and other property then belonging to the said Allegheny County Home, and by said act of consolidation and proceedings in pursuance thereof, the said borough and said townships became a part of the poor district, under the care of the guardians for the relief and employment of the poor of the city of Pittsburg; now therefore,

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of the peace of said county, on petition to said court by the said guardians for the relief and employment of the poor of the city of Pittsburg, with notice to the said Allegheny County Home, is authorized and hereby required to appoint three disinterested freeholders, not residing in or owning taxable property in either of said poor districts, as commissioners, who after being duly sworn by a judge of said court, to well and faithfully perform the duties enjoined on them by this act, shall proceed to perform the duties hereinafter stated, namely:

Quarter sessions court to appoint commissioners.

First. To inquire into and ascertain the value of the said poor farm and all other property belonging to the said Allegheny County Home at and immediately before the time when said consolidation was consummated. Duties.

Second. To inquire into and ascertain what interest and share in said poor house farm and said other property the said borough and said townships had as a part of said poor district, known as the Allegheny County Home, at the time of their separation therefrom and annexation to the poor district of the city of Pittsburg, according to the number of their population and the amount of their taxable property and the value of said share and interest.

Third. To inquire into and ascertain what sum should be paid by the said Allegheny County Home to the said guardians for the relief and employment of the poor of the city of Pittsburg, for the said share and interest which the said borough and townships had in the said poor farm, and other property belonging to the said Allegheny County Home, at the time when said borough and townships were separated therefrom and annexed to the poor district of the city of Pittsburg by said act of consolidation.

Fourth. The said commissioners shall have power to demand the production of such books and papers as they may require

in said investigation, and administer oaths to and hear the testimony of such witnesses as may be produced before them.

Fifth. It shall be the duty of said commissioners, without unnecessary delay, to prepare and submit to said court a full report of their proceedings and their findings and conclusions on the several matters which they are hereinbefore directed to inquire into and ascertain.

After report of commissioners, court to fix a day for hearing parties.

SECTION 2. That the said court of quarter sessions shall, after receiving said report of said commissioners, fix a day for hearing the said parties, and direct notice thereof to be given to the said Allegheny County Home and the said guardians for the relief and employment of the poor of the city of Pittsburg; and after hearing the said parties the said court shall make upon said report, and the findings and conclusions thereof, such order or decree as in the judgment of said court equity and justice may require; and either of said parties shall have the right, by *certiorari* or writ of error, to remove the record in said case to the supreme court for revision and affirmation, reversal or correction.

Writ of error to supreme court.

Extended to Allegheny city.

SECTION 3. The provisions of this act are hereby extended to the city of Allegheny and consolidated districts thereof, in like manner as provided for city of Pittsburg and consolidated districts thereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1040.

A Supplement

To the act relative to the sale of the almshouse farm, in the city of Philadelphia, approved May first, Anno Domini one thousand eight hundred and sixty-one, repealing the provision requiring a public park therein.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the first section of an act, entitled "A further supplement to an act incorporating the city of Philadelphia," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, as requires that the city of Philadelphia shall reserve a part of said ground, not

exceeding forty acres, to be laid out and maintained as an open public place forever, for the health and recreation of the people, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1041.

An Act

Opening Shamokin street, between Twenty-first and Twenty-second streets, in the city of Philadelphia, and providing for the grading, curbing and paving the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of Philadelphia are hereby authorized and directed to have Shamokin street, in the city of Philadelphia, between Twenty-first and Twenty-second streets, opened, graded, curbed and paved.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1042.

A Supplement

To an act, entitled "An Act to authorize the appointment of an auctioneer in Johnstown, Cambria county," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act the auctioneer in the borough of Johnstown, Cambria county, shall be commissioned for a period of two years, and he shall pay the sum of fifty dollars for his commission, in the manner prescribed in the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1043.

An Act

Relative to fees of justices of the peace and constables in the county of Crawford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first of an act relative to fees of justices of the peace, constables and attorneys-at-law in the counties of Westmoreland and Beaver, approved the twenty-second day of March, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the county of Crawford.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1044.

An Act

Designating the period for the commencement of the official term of the commissioners of Adams county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term of office of the commissioners of Adams county shall commence on the fourth Monday of January next succeeding their election, and the official term of said officers now in commission shall extend until their successors shall be qualified, as hereinbefore directed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1045.

An Act

To incorporate the Darby Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Charles Andrews and Isaac H. Hibbard, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Darby Gas Company, and as such shall have authority to supply with gas light the borough of Darby, in the county of Delaware, and such persons, partnerships and corporations residing therein, or adjacent thereto, as may be agreed upon, and also to make, erect and maintain therein, the necessary buildings, machinery and apparatus for manufacturing gas from coal, or other material, and distributing the same, with the right to enter upon any public street, lane, alley or highway in said borough, or adjacent thereto, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes,

Corporators.

Name.

Powers and privileges.

alleys and highways, and impairing the free use thereof as little as possible, and subject to such regulations as the councils of said borough of Darby, or the authorities of any adjoining or adjacent townships or district may adopt in regard to grades, or for the protection and convenience of public travel over the same.

Penalty for opening communication with pipes, &c.

SECTION 2. If any person or persons shall open a communication into the gas main or other pipe of said company without authority from the inspector or other authorized agent of said company, or shall let on the gas after it shall have been stopped by order of said inspector or authorized agent of said company, for repair, or any other cause or purpose, or shall put up any pipes or burners in addition to those originally put up and inspected, and introduce gas into them without authority as aforesaid, he, she or they shall be a subject to a penalty of not less than ten, nor more than one hundred dollars, recoverable before any alderman or justice of the peace of the proper county, as debts of like amount are by law recoverable, one-half to be paid to the informer and one-half to the company.

Penalty for injuring property of company.

SECTION 3. If any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped or obstructed, injured, contaminated or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may therefor be indicted in the court of quarter sessions of the proper county, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit.

To commence work within three years.

SECTION 4. The company hereby incorporated shall commence work within three years from the passage of this act, and proceed with the same with proper diligence; and nothing in this act contained shall be construed to deprive the general assembly of this commonwealth of the right to incorporate any other gas company in said borough of Darby or its vicinity, or to alter, amend or repeal this act, in such manner, however, as to work no injustice to the stockholders.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1046.

An Act

Relative to selling the making and repairing of roads in the township of East Bradford, Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the supervisors of the township of East Bradford, in the county of Chester, to sell the making and repair of the public roads at the place appointed for holding the general elections in said township.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1047.

An Act

To authorize the surrender of the Monongahela turnpike road to the city of Pittsburg.

WHEREAS, By an act of assembly, entitled "A further supplement to the act incorporating the city of Pittsburg, extending its boundaries, et cetera," approved April sixth, one thousand eight hundred and sixty-seven, a portion of the Monongahela turnpike road was brought within the limits of the said city; and under the provisions of the thirty-sixth section of said act, appraisers were appointed, who valued said road and the stock of said company at the sum of four thousand dollars, at which price said city was authorized, within one year thereafter, with the consent of said company, to purchase and make free the said road, which time has expired without any action to that end:

And whereas, It is for the public interest that the said road should be free and that said city should have the power to improve the same as other highways of said city are improved; now therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the city of Pittsburg shall be and is hereby authorized and empowered to take possession of, use and occupy so much of the Monongahela turnpike road as is within the corporate limits of said city, upon the payment to the sequestrator of said road of such sum of money as may be agreed upon by the councils of said city and said sequestrator, not less than the sum at which the same was appraised as aforesaid, and subject to the approval of the court by which said sequestrator was appointed; and upon payment of said sum of money said sequestrator shall withdraw from all further control of the portion of said road within the corporate limits of said city; and all the rights and franchises of the Monongahela Turnpike Company in and to that portion of said road shall thereafter cease and determine, and the same shall be and become a free public highway of the city of Pittsburg, subject to the control of said city, under the laws and ordinances relating to streets and highways therein: *Provided*, That any agreement which shall be made by said city and the sequestrator shall not be finally consummated by the approval of the court, until public notice shall have been given, by publication in the papers authorized to do the city printing, twice, in two different weeks, of the time of making the application for the approval aforesaid, at which time all persons interested may, if they wish, make objection to the same; and if any objection shall be made, said court shall hear and determine the same as to said court may seem right and proper.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1048.

A Supplement

To an act to incorporate the Waynesboro' Mutual Fire Insurance Company, approved the second day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act all policies of insurance heretofore issued by the said Waynesboro' Mutual Fire Insurance Company, now in force, as well as those here-

after issued by said company, shall be held to assure and indemnify the assured from or against loss or damage by fire or lightning.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1049.

An Act

Relative to the office of treasurer in the city of Scranton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the term of office of the present treasurer of the city of Scranton shall expire on the third Monday of December, one thousand eight hundred and seventy-two, and the election of treasurer for said city shall hereafter take place bi-ennially, at the general election in October, and the treasurer so elected shall enter upon the duties of his office on the third Monday of December next succeeding; and the first election of treasurer under this act shall take place at the October election, in one thousand eight hundred and seventy-two.

Treasurer to be elected bi-ennially.

When to enter upon duties of office.

SECTION 2. That any act or parts of acts inconsistent with the provisions of this act are hereby repealed.

Repeal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

We do certify, that the bill, No. 1308, entitled "An Act relative to the office of treasurer in the city of Scranton," was presented to the governor on the twelfth day of May, A. D. one thousand eight hundred and seventy-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

JAMES L. SELFRIDGE,

Clerk of the House of Representatives.

J. ZIEGLER,

Clerk of the Senate.

HARRISBURG, May 25, 1871.

No. 1050.

An Act

To repeal so much of the third section of an act providing for the taking of game, approved April twenty-first, eighteen hundred and sixty-nine, so far as the same prevents the taking or killing of fox and grey squirrels in the county of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act so much of section third of an act providing for the taking of game, approved twenty-first April, eighteen hundred and sixty-nine, as provides for the prevention of the killing or taking of fox or grey squirrels, be and the same is hereby repealed, so far as the same applies to the county of Franklin.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1051.

An Act

Granting a pension to Elizabeth Deem.

WHEREAS, Adam Deem, late a private in company I, commanded by Captain F. S. Boas, in the Twentieth regiment, Pennsylvania militia, commanded by Colonel W. B. Thomas, called out by the proclamation of the governor, dated the tenth day of September, Anno Domini one thousand eight hundred and sixty-two, was severely injured by a collision of cars while the company and regiment was returning from Greencastle to Harrisburg; that he died from said injury on the fifth day of March, Anno Domini one thousand eight hundred and sixty-three:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be authorized and required to pay, out of any money in the treasury not otherwise appropriated, to Elizabeth Deem, of Berks county, widow of said Adam Deem, the sum of ninety-six dollars annually, in half-yearly payments, for the period of five years, to commence on the first day of January, Anno Domini one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1052.

An Act

Granting a pension to Susan Keller.

WHEREAS, Augustus Keller, late a private in company I, commanded by Captain F. S. Boas, in the Twentieth regiment, Pennsylvania militia, commanded by Colonel W. B. Thomas, called out by the proclamation of the governor, dated the tenth day of September, Anno Domini one thousand eight hundred and sixty-two, was killed by a collision of cars while the company and regiment was returning from Greencastle to Harrisburg, on the twenty-sixth day of September, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be authorized and required to pay, out of any money in the treasury not otherwise appropriated, to Susan Keller, of Berks county, widow of said Augustus Keller, the sum of ninety-six dollars annually, in half-yearly payments, for the period of five years, to commence on the first day of January, Anno Domini one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1053.

An Act

Relating to the common schools of the city of Allentown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of each board of school directors of the respective wards of the Allentown school district, on the third Wednesday of June, Anno Domini one thousand eight hundred and seventy-one, to elect one controller, in addition to the one now provided for, from their respective wards, who shall possess such qualifications as may be prescribed by the laws of this state relative to common schools. The controllers so elected to enter upon their duties at the time provided for those heretofore elected, and to serve for the following periods: Those from the First and Second wards to serve for two years; those from the Third and Fourth wards to serve for three years, and those from the Fifth and Sixth wards to serve for one year. At the expiration of the several terms, the respective boards of directors shall, on said third Wednesday of June, elect two controllers, of like qualifications, to serve for three years from the first Monday of July following.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1054.

An Act

Providing additional return days for the courts of the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first Monday of June and the second Monday of September in each year, shall be return days for all summons, writs and other process that may hereafter be issued out of

the courts of common pleas and orphans' court of the county of Luzerne; and the same proceedings shall be had with respect to such process as though the said return days were the first days of regular terms of said court of common pleas: *Provided*, That the stay of execution allowed by existing acts of assembly shall count from the return day into which the original process was returnable.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1055.

A Supplement

To an act to provide for the erection of a house for the employment and support of the poor in the county of Northampton, approved the eleventh day of March, Anno Domini one thousand eight hundred and thirty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any case where any inmate of the poor house of the county of Northampton now is, or hereafter shall be, entitled to any real or personal estate, or any interest therein, it shall be the duty of the directors of the poor of said county to sue for and recover, take and receive the same, or the proceeds thereof, from the executors, administrator, trustee or other person who may have the same in possession or control; and after deducting the necessary expense of recovering the same, or of the sale thereof, if real estate, the amount of the proceeds thereof shall be applied to the payment of the expenses incurred in keeping and maintaining of such inmate; and in case any balance shall remain upon the death or discharge from the poor house of such inmate, the same shall be paid over by the directors of the poor at the time in office to such person as his or her legal representative.

Directors of poor to receive property belonging to inmates of poor house.

Proceeds to be applied to payment of expenses of maintenance.

SECTION 2. That when any such inmate shall be insane, or incapable of taking care of his person or estate, or shall be under any other legal disability, and shall now or hereafter be entitled to any real or personal estate, either absolutely or for life only, the court of common pleas or orphans' court of the county of Northampton, having jurisdiction, shall have power, and they are hereby authorized, to appoint the said

Proceedings when insane inmates are entitled to estate.

the directors of the poor and of the house of employment for the county of Northampton, in their corporate capacity, or trustees or committee of such person, upon their giving bond, duly executed under their hands and seal, as prescribed by law; and they shall hold the amount by them received, deducting expenses of such appointment as such trustees or committee, and apply the same to the expenses of the maintenance of such inmate, as by the order and decree of the court, from time to time, may be ordered; and at the death or discharge from the poor house of such inmate, the balance remaining of such fund, if any, shall be accounted for and paid by the directors of the poor then in office, according to law, on settlement of their account.

Proceedings when paupers entitled to an estate in remainder die before it vests.

SECTION 3. That in any case where a pauper, supported at the said poor house of said county, and entitled an interest in real or personal estate, subject to a precedent life estate, shall have heretofore died, or shall hereafter die, before the determination of such life interest, the said directors of the poor of said county shall have power, and they are hereby required, upon the determination of such life estate, to sue for and recover, take and receive the amount or share of real or personal estate then due to such pauper; and after sale of said interest, or receiving the proceeds thereof, they shall deduct therefrom the expenses of the recovery of the amount, and all expenses incurred for the support and maintenance of said pauper up to the time of his or her death; and if any balance shall remain, it shall be paid over by the said directors of the poor to such person or persons as shall be legally entitled thereto.

Directors may sell and convey real estate belonging to inmates.

SECTION 4. The said directors shall have power to sell and convey any interest in real estate to which any inmate of said poor house may now or hereafter be entitled, by good and valid deed, executed under their hands and seal to the purchaser thereof, and also to execute a valid release to the executor, administrator, trustee or other person having custody or control of the funds to which such pauper inmate may be entitled upon payment of the amount due to them.

Compensation of directors.

SECTION 5. That whenever the said director shall be engaged in the construction of any buildings upon the poor house property, and their personal superintendence shall be necessary, the directors so superintending shall receive the sum of two dollars per day in addition to the fees now allowed by law: *Provided*, That no charge shall be made for the first and third Mondays of every month, the days upon which the said directors are now required by law to meet.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1056.

An Act

Supplemental to an act, entitled "An Act to incorporate the North Coal Company," approved the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the North Coal Company shall have power to increase the number of directors of said company, and change the name, style and title of the same from the North Coal Company to the Wilkesbarre and Seneca Lake Coal Company, and by that title be known and enjoy all the rights, privileges and immunities granted in the act of which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1057.

An Act

Authorizing the burgess and town council of the borough of Sunbury to erect a lock-up.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the burgess and town council of the borough of Sunbury, in the county of Northumberland, be and they are hereby authorized and empowered to build or otherwise provide within the said borough, a suitable building for the security and temporary detention of any person or persons committed by a justice of the peace or burgess of the said borough, for any violation of the laws of this commonwealth, or of any ordinance of the said borough, or upon the arrest of a peace officer or police in the absence of such justice of the peace, for which such person or persons could be lawfully

Borough authorities may provide lock-up

committed to the common jail of said county: *Provided*, That no person shall be confined in said lock-up house at any time for a longer period than seventy-two hours, except such person or persons be charged with an indictable offence, and it be necessary to detain such person or persons for legal examination.

Confinement in lock-up, limited

Payment of fees SECTION 2. That all fees for the arrest, commitment and safe-keeping of any person shall be taxed by any justice of the peace or burgess, and paid by the prosecutor or defendant or borough of Sunbury, as the issues of the case on which such defendant or defendants shall be committed, may be determined and required.

May appropriate borough funds for lock-up.

Cost limited. SECTION 3. That the burgess and town council of said borough, or a majority of them, may appropriate and pay for the erection of said lock-up house and lot of ground, such sum of money, out of the funds of said borough, as they may deem necessary: *Provided however*, That the cost of such lock-up house and lot shall not exceed one thousand dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1058.

A Supplement

To an act, entitled "An Act authorizing the incorporation of the Ormsby Bridge Company," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

Preamble. WHEREAS, The commissioners named in the first section of an act, entitled "An Act authorizing the incorporation of the Ormsby Bridge Company," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, have failed to perform the duties thereby devolved upon them; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hil Plurgwur, John C. Mattern, Clifton Wharton, Edward Kayler and R. H. Lewis are hereby appointed additional commissioners, and that a majority of the commissioners are hereby authorized to proceed as authorized in the said first section of the act to which this is a supplement.

Additional commissioners.

SECTION 2. That it shall be lawful for said company to contract with any railroad company desiring their track over said bridge, and traverse the same with their cars and locomotives: *Provided*, That if the bridge company and such railroad company shall fail to agree upon the terms and conditions upon which the railroad company may have the right to use the bridge, that either party may apply by petition to the court of common pleas of Allegheny county; which court shall, after due notice to the other party, appoint a board of appraisers, consisting of not less than three and not more than six persons, who shall fix and determine said terms and conditions; and any such railroad company is hereby authorized to take and hold stock in said bridge company.

May contract with railroad companies for use of track.

Proceedings on failure to agree upon terms.

SECTION 3. That all plans and specifications of said bridge shall first have been approved by councils of the city of Pittsburgh, Pennsylvania.

Plans and specifications to be approved.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1059.

A Supplement

To the act, entitled "An Act to extend the limits of the borough of Indiana," approved February seventeenth, one thousand eight hundred and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the Blairsville and Indiana public road now in White township, Indiana county, as lies between the line of the extension of the limits of the borough of Indiana, along the eastern side of said road, as provided by the act approved February seventeenth, one thousand eight hundred and seventy-one, and the line of the borough of West Indiana, along the western side of said road, be and the same is hereby annexed to the borough of Indiana.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1060.

An Act

To extend the provisions of an act authorizing the school directors of Chapman township, Clinton county, to levy and collect a bounty tax, approved the first day of April, one thousand eight hundred and seventy, to the township of Leidy, Clinton county,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the provisions of an act, entitled "An Act authorizing the school directors of Chapman township, Clinton county, to levy and collect a bounty tax," approved the first day of March, Anno Domini one thousand eight hundred and seventy, is hereby extended to the township of Leidy, in the county of Clinton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1061.

An Act

Relative to the advertisement of claims, et cetera, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act passed on the thirty-first day of January, Anno Domini one thousand eight hundred and sixty-two, as confines the sales for taxes, in the city of Philadelphia, to the first Mondays of April, July, October and January, be and the same is hereby repealed; and that hereafter sales for taxes may be made at any of the regular sales by the sheriff of the county and of the city and county of Philadelphia.

SECTION 2. That the chairman of the joint committee on finance of select and common councils of the city of Phila-

Repeal.

When sales for taxes may be made.

delphia is hereby directed to appoint two persons to scrutinize, audit or to have audited the books of the receiver of taxes and the collector of outstanding and delinquent taxes of said city, for the years eighteen hundred and seventy, eighteen hundred and seventy-one and eighteen hundred and seventy-two, whose compensation for services rendered shall be the same, and payable in like manner as now provided for by existing ordinances; that all acts and parts of acts inconsistent with this act are hereby repealed.

Two persons to be appointed to audit books of receiver of taxes, &c.

Compensation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1062.

An Act

To empower the sectional school boards of the First school district to elect the principal of the grammar schools in said sections.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sectional board of school directors in the First school district are hereby authorized and empowered to elect the principal or principals of the grammar school or schools in their respective school sections, and the said person or persons so selected shall be entitled to act without further confirmation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1063.

An Act

Authorizing Mrs. Catharine Brown to convey real estate and act as a *feme sole*.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Mrs. Catharine Brown, of the borough of Danville, Montour county, be and she is hereby authorized to convey and sell all real estate in this commonwealth in which she may have any interest, in fee simple or otherwise, as fully, by deed lawfully signed and acknowledged by her alone, as if she had no husband living, and in all respects in regard to her personal and real estate to carry on business as if she were a *feme sole*.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1064.

An Act

Authorizing the revision of the street grades in the late borough of Manayunk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia are hereby authorized to revise the grades in and adjacent to the late borough of Manayunk, now the Twenty-first ward of the city of Philadelphia, as they may from time to time find requisite and necessary.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1065.

An Act

To repeal an act, entitled "A further supplement to an act to incorporate the city of Philadelphia, relating to the appropriations by the councils for school purposes," approved April twenty-eighth, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "A further supplement to an act to incorporate the city of Philadelphia, relating to the appropriations by councils for school purposes," approved the twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1066.

An Act

To incorporate the People's Savings Bank of Pittston.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas Waddell, Henry Smith, Isaac Carpenter, Samuel Price, Fred. W. Gunster, Conrad S. Stark, G. M. Miller, Benjamin G. Cooper, Barnard Sharkey, Daniel D. Mosier, A. D. King, Joseph Hileman, Lewis Cohen and Joseph P. Schooley, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name, style and title of the People's Savings Bank of Pittston, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and

Corporators.

Title.

Powers and
privileges.

regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of Pittston, in the county of Luzerne: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same if the intent of the parties can be clearly ascertained.

Misnomer.

Purpose.

Business.

SECTION 2. That the purpose of this act is to incorporate and organize a savings bank and loan and trust company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth; to take and accept by grant, assignment, transfer, devise or bequest, and hold any real or personal estate or trusts created in accordance with the laws of this state, and execute such legal trusts in regard to the same on such terms as may be declared, established or agreed upon in regard thereto; to accept from and execute trusts for married women in respect to their separate property, whether real or personal, and act as agents for them in the management of such property; and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same: *Provided*, That the law courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors, with interest at such rates as may be fixed annually by the directors, in lawful money, national bank notes or notes of banks incorporated in this state, at par, in sums not less than one dollar, when required during business hours: *Provided*, That deposits by married women and minors may be repaid to them, and such repayment, made upon their orders, checks or receipts, shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to the husband of said married woman, or to the parent or guardian of such minors.

Prohibition.

Payment of deposits.

Deposits by married women and minors.

Capital to be raised for security of depositors.

SECTION 3. That for the security of the depositors of the said corporation it shall be the duty of the persons named in the first section, and such others as may become associates with them as stockholders in the company incorporated, to raise and form a capital of one hundred thousand dollars, to be divided into shares of one hundred dollars each, and paid in as shall be required by the board of directors; but twenty per centum thereof shall be fully paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof, as they from time to time shall elect, to any amount not exceeding three hundred thousand dollars: *Provided*, That the stockholders, at the time of such increase, shall each be entitled to a pro rata share of such increase, upon the payment of the par value thereof; such right to be forfeited, however, if not

Increase of capital.

Proviso.

availed of within ten days of the time fixed for subscription therefor by public notice.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth or of the United States, or other stocks or bonds or real or personal securities, or in such other manner as may be deemed appropriate and safe.

Investment of funds.

SECTION 5. That the directors shall prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed thirteen.

Form of certificates to depositors, mode of electing directors, &c.

Number of directors limited.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day, within twelve months from the passage of this act, as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers thirteen directors to manage the affairs of the said corporation; said directors shall choose from their number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all the rights, powers and privileges which are intended to be hereby given.

Meeting of corporators.

Purpose of meeting.

Officers.

SECTION 7. That the real estate which it shall be lawful for the said corporation to hold, shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase, at judicial sales or otherwise, to secure debts due it; and that in all cases of loans upon real estate the expenses of searches, examination of certificates and recording papers shall be paid by the borrower.

Real estate.

Expenses of searches, &c., to be paid by borrower.

SECTION 8. That the directors, at their first meeting in January of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposit shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest to be allowed for fractions of months.

Interest on deposits.

SECTION 9. On the first Tuesday in January and July, in each year, the directors shall make and declare, out of the net proceeds and profits of the business of said corporation, a dividend of so much thereof as they deem best, and pay the same over to the stockholders, or their legal representatives, within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend, from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposit after the assets of said corporation shall have become depreciated in cash value below the whole amount of the deposits with said corporation, and the debts of the same, and fifty per centum of the capital paid in, and they shall become

Dividends, relative to.

and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors and creditors of said corporation for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

Shares transferable.

SECTION 10. The shares of said corporation shall be transferable on its books, in such manner as shall be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by said stockholder then owned; and if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any instalment of the same, for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation; and the directors of said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation. The books of said corporation shall at all times, during business hours, be open for the inspection of such as the legislature may appoint for that purpose.

Votes.

Failure to pay instalments.

Books to be open for inspection.

Officers and agents to give bonds.

SECTION 11. The officers and agents of said corporation, upon entering upon the discharge of their duties, shall give bonds, in such amount as the directors shall fix, for their fidelity and good conduct, and for the safe-keeping and appropriation of all such sums of moneys as shall be placed in their charge by depositors and others, and that the directors of said corporation may require in increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of the said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Portions of by-laws and regulations to be put up in office.

May be appointed trustee, assignee, &c.

SECTION 12. It shall and may be lawful for any court of the commonwealth of Pennsylvania, and for any person or persons, or bodies politic or corporate, by deed, will, or otherwise, to make, constitute and appoint said corporation, with the consent of the same, a trustee, assignee, guardian of the estate of minor children, committee of lunatic, or receiver, and to allow it like compensation for the execution of such trusts as would by law be allowed to individuals, and such as may be agreed upon before accepting any such trust from or on behalf of any such person or persons, and bodies politic or corporate; and the said corporation is further empowered to accept such appointment and act as executor or administrator to any deceased testator, or intestate, and letters testamentary and of administration may be issued by the register of wills of the proper counties to it for such appointment as executor or administrator, as the said corporation may accept, without such bond or surety.

Capital stock security for faithful performance of duties.

SECTION 13. The capital of said corporation shall be taken and considered as the security required by law for the faithful performance of its duties as such executor, administrator, trustee, receiver, and shall be liable in case of default.

Limitation.

SECTION 14. This charter shall continue for twenty years,

but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the stockholders: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Reservation.

Proviso.

Bonus and taxes

SECTION 15. That the stockholders shall be held individually responsible, equally and ratably, and not one for another, to the depositors with such association to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares, after the remedies against said corporation shall have been exhausted.

Individual liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1067.

A Supplement

To an act to incorporate the Shawnee Railroad and Bridge Company, approved the fifteenth day of April, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Peter Pursel, John Peters, E. P. Darling, Isaac Livingston, W. W. Dietrick, W. L. Wilson, Ira Kirkendall, George P. Richards, G. M. Miller, John Stewart and Ira Davenport, be and they are hereby added to the commissioners named in act to incorporate the Shawnee Railroad and Bridge Company, approved April fifteenth, one thousand eight hundred and sixty-nine, with power to act the same as if they had been named in the original bill; and all the powers and privileges conferred in said original act are revived, renewed and continued; and the said Shawnee Railroad and Bridge Company shall have the right to occupy as many of the streets of the boroughs of Wilkesbarre (except River street, north of South street) and Plymouth as may be desirable, consent of councils first being obtained, or any public road on the route of said railroad or its branches; the grades of the streets occupied by the railroad shall be preserved, and so much of

said streets and roads as are used shall be kept in perpetual repair by the company; and the company may use any public bridge or the sides or centre of any public road, and do those things generally which are requisite to enable it to carry out the intentions and provisions of this act and the act to which this is a supplement; and the commissioners named for organizing the company, or any five of them, may meet at such time and place within six months from the passage of this act, without further notice, and receive subscriptions to the stock and organize the company: *Provided*, The said Shawnee Railroad and Bridge Company shall not be allowed to use steam in running its cars in the borough of Wilkesbarre nor in the borough of Plymouth, nor any other borough, without the consent of the councils of the respective boroughs: *And provided*, That no enrolment tax shall be charged on this supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1068.

An Act

To authorize a change of grade on Pine street, between Thirty-ninth and Fortieth streets, in the Twenty-seventh ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the councils of the city of Philadelphia are hereby authorized to change the grade on Pine street, between Thirty-ninth and Fortieth street, in the Twenty-seventh ward of said city, in such manner and to such extent as the board of surveyors may determine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1069.

An Act

To confirm the street lines of Haverford avenue, in the Twenty-fourth ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the street lines of Haverford avenue, in the Twenty-fourth ward of the city of Philadelphia, as adopted by the board of surveyors of said city, be and the same are hereby confirmed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1070.

An Act

To divide the Eighth and Twelfth wards of the city of Scranton into separate election districts, and provide for an additional alderman.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Eighth and Twelfth wards of the city of Scranton be each divided into two election districts, as follows, namely: All that part of the Eighth ward north-east of Linden street shall constitute a separate election district, to be called district number two; all that part of said ward south-west of Linden street shall constitute a separate election district, and shall be called district number one; all that part of the Twelfth ward laying between River street and the line of Lackawanna township, shall constitute a separate election district, to be designated as district number two; and the remaining portion of said ward shall be a separate election district, and designated as district number one.

SECTION 2. All elections for district number one, in the Eighth ward, shall be held at the Forest house, in said dis-

Eighth and Twelfth wards each divided into two election districts.

Boundaries

Places for holding elections.

district, and for the second district of said ward, at the hotel of Frank Kerfer; for the first district of the Twelfth ward, at the house kept by Michael Miller, and for the second district of said ward, at the house kept by Matthew Snow.

Election officers

SECTION 3. The election officers now in office for the Eighth and Twelfth wards shall hold the first election under this act in district number one of their respective wards, and on the morning of the election, at the time prescribed by law for the opening of the polls, the qualified electors of the second district, above designated, shall elect their election officers as provided by law, and the city of Scranton shall provide the necessary ballot boxes.

After election, judges to meet, canvas votes and give certificates.

SECTION 4. On the Saturday next succeeding the election in said districts, the judges of election in and for said districts of the Eighth ward, shall meet at the Forest house at ten o'clock A. M.; and the judges of election for said districts, in the Twelfth ward, shall meet at the house kept by Michael Miller, on the same day and hour; at which time and places the clerk of the mayor's court for the city of Scranton shall certify to said judges, under his hand and seal, a correct copy of the election returns of such election for ward officers in said districts and wards; and from said returns so certified, the judges of election shall canvass the votes for ward officers, and give their certificates to the persons elected according to said returns.

Additional alderman.

SECTION 5. At the next election in and for the city of Scranton the qualified electors of the Eighth ward of the said city shall elect one qualified person to be an additional alderman in and for said ward.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1071.

An Act

To incorporate the Athens Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That H. W. Patrick, Selin Kirby, A. C. Elsbree, Timothy Hireen, Eugene Underhill, S. N. Blood, J. P. Kirby, N. C.

Corporators.

Harris, Darius Bullock, Charles B. Briggs, S. H. Wilcox, W. A. Wood, Israel Phillips, Geo. T. Biash, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name of the Athens Savings Bank, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and to alter and renew the same at pleasure, to make and put in force all by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located at Athens, Pennsylvania, with branches in the townships of Athens and Smithfield, in Bradford county: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Name.

Powers and privileges.

Location. Branches.

Misnomer.

SECTION 2. That the purpose of this act is to organize and incorporate a savings bank and loan company; that the business of said corporation shall be to receive on deposit from all persons who shall offer the same, any sum or sums of money not less than one dollar, and to loan money at legal interest, and to transact any other business transacted by banks in this commonwealth, and to receive and become the depository of all trusts and such other funds that may be paid into, or be under the control of the several courts of this state and the laws of the same, within the county of Bradford: *Provided*, The said courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors with interest, at such rates as may be fixed annually by the directors, in lawful money, national bank notes or the notes of banks incorporated in this state, at par, in sums not less than one dollar when required during business hours: *Provided*, That unless otherwise agreed at the time of making the deposit, not more than twenty-five dollars shall be required to be paid to any one depositor upon any one day, unless written notice of the sum intended to be demanded shall have been given at least ten judicial days before the time when such payment is required to be made; that deposits by married women and minors may be repaid to them, and such repayment made upon their order, checks or receipts, shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to the husbands of said married women or the parent or guardian of such minors.

Purpose.

Business.

May receive trust funds, &c.

Shall not issue circulating notes.

Payment of deposits.

Notice required when amount exceeds \$25.

Deposits by married women and minors.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders, in the company incorporated, to raise and form a capital of fifty thousand dollars, to be divided into shares of one hundred dollars each, and paid in

Capital stock.

- as shall be required by the board of directors; but one-fourth thereof shall be paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof as they shall from time to time elect, to any amount not exceeding three hundred thousand dollars: *Provided*, That the stockholders at the time of such increase, upon the payment of the par value thereof, shall each be entitled to a pro rata share of such increase; said right to be forfeited, if not availed of within ten days of the time fixed for the subscription by public notice.
- Increase.**
- Investments.** SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth, or of the United States, or other stocks and bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.
- Directors may declare dividends, prescribe form of certificate to depositors, &c.
- SECTION 5. That the directors shall have power by their by-laws, as often as they may deem proper, to make and declare dividends of the profits of said corporation, after paying its expenses and reserving a fund for contingencies, and pay over the same to the shareholders within ten days thereafter; to prescribe the form of certificate to be issued to depositors, and the mode of making them transferable; the time and mode of holding the annual election for directors and officers; the method of filling vacancies in the boards of directors; the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe; but the whole number of directors shall at no time exceed nine.
- Organization.** SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, within twelve months from the passage of this act, at such time and place as a majority of them shall appoint, for the purpose of receiving subscriptions to the capital stock of said corporation, and choosing from among the subscribers, five directors to manage the affairs of said corporation; said directors shall choose from their own number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and exercise all the rights, powers and privileges which are intended to be given.
- Officers.**
- Real estate.** SECTION 7. That the real estate which it shall be lawful for said corporation to hold shall be only such as is requisite for the accommodation and convenient transaction of its business, and such as it may find necessary to purchase, at judicial sale or otherwise, to secure debts due it; and that in all cases of loans upon real estate, the expense of searches, examination of certificates and recording papers, shall be paid by the borrower.
- Expenses of searches, &c., to be paid by borrower.
- Interest on deposits, rate of, &c.** SECTION 8. That the directors at their first regular meeting in January, of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposits shall amount to three dollars; that interest shall be

calculated by calendar months only, and no interest to be allowed for the fraction of a month.

SECTION 9. That the shares of said corporation shall be transferable on its books, in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote, in person or by proxy, for each and every share of stock by said stockholder then owned; that if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay the same for the period of thirty days after the time prescribed for the payment thereof, the money theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; that the books of said corporation shall at all times during business hours be open for the inspection of such agents as the legislature may appoint for that purpose.

Stock transferable.

Votes.

Failure to pay stock subscribed for.

Books to be open for inspection.

SECTION 10. That the officers and agents of the said corporation, upon entering upon the discharge of their duties, shall give bonds, in such an amount as the directors shall fix, for their fidelity and good conduct and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by depositors and others, and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of the said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Officers, &c., to give bond.

Portions of by-laws to be put up in office.

SECTION 11. That this charter shall continue for twenty years; but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done the corporators: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth, in four equal annual instalments, a bonus of one-half of one per centum upon the capital stock paid in, the first payment to be made one year from the date of the organization of the said corporation, and a like bonus upon any increase of the capital that may be authorized by the directors and paid in at any time thereafter, and such other taxes as may be required by law.

Limitation of charter.

Bonus and taxes

SECTION 12. That the stockholders shall be personally liable to the depositors in double the amount of the capital stock.

Personal liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1072.

An Act

To incorporate the Surety Contract Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Samuel G. Thompson, William M. Denman, S. L. Levy, James G. Gardener and Charles H. T. Collis, their associates, successors and assigns, or a majority of them, be and they are hereby authorized to form and be a body corporate, to be known as the Surety Contract Company, and by that name, style and title shall have perpetual succession, and all the privileges, franchises and immunities incident to a corporation, may sue and be sued, implead and be impleaded, complain and defend, in all courts of law and equity, of record and otherwise, may purchase, receive, hold and enjoy, to them, their successors and assigns, all such lands, tenements, leasehold estates and hereditaments, goods and chattels, securities and estates, real, personal and mixed, of what kind and quality soever, as may be necessary to erect depots, engine houses, tracks, shops, and other purposes of the said corporation, as hereafter defined by the second section of this act, and the same from time to time may sell, convey, mortgage, encumber, charge, pledge, grant, lease, sub-lease, alien and dispose of, and also make and have a common seal, and the same to alter and renew at pleasure, and ordain, establish and put in execution such by-laws, ordinances, rules and regulations as may be necessary or convenient for the government of the said corporation, not being contrary to the constitution and laws of this commonwealth, and generally may do all and singular the matters and things which to them shall appertain to do for the well-being of the said corporation, and the management and ordering of the affairs and business of the same : *Provided*, That nothing herein contained shall be so construed as to give to the said corporation any banking privileges or franchises, or the privilege of issuing their obligations as money.

No banking privileges.

May contract for construction of works, furnish materials, &c.

SECTION 2. That the corporation hereby created shall have power to contract with any person or persons, firms, corporations or any other party, howsoever formed, existing, or that may hereafter exist, in any way that said parties, or any of them, may have authority to do, to build, construct, maintain or manage any work or works, public or private, which may tend or be designed to improve, increase, facilitate or develop trade, travel or the transportation and conveyance of freight, live stock, passengers and any other traffic, by land or water, from or to any part of the United States, or the territories thereof; and the said company shall also have power and authority to supply or furnish all needful materials, labor, im-

plements, instruments and fixtures of any and every kind whatsoever, on such terms and conditions as may be agreed upon between the parties respectively, and also to purchase, erect, construct, maintain or conduct, in its own name, and for its own benefit, or otherwise, any such work, public or private, as they may by law be authorized to do, (including also herein lines for telegraphic communication,) and to aid, co-operate and unite with any other company, person or firm in so doing.

SECTION 3. The company hereby created shall also have the power to make purchases and sales of or investment in the bonds and securities of other companies, and to make advances of money and of credit to other companies, and to aid in like manner, contractors and manufacturers, and to receive and hold on deposit or as collateral or otherwise, any estate or property, real or personal, including the notes, obligations and accounts of individuals and companies, and the same to purchase, collect, adjust and settle, and also to pledge, sell and dispose thereof, on such terms as may be agreed on between them and the parties contracting with them, and also to endorse and guarantee the payment of the bonds and the performance of the obligations of other corporations, firms and individuals, and to assume, become responsible for, execute and carry out any contracts, leases or sub-leases made by any company to or with any other company or companies, individuals or firms whatsoever.

May invest in securities of other companies, aid contractors, &c.

SECTION 4. The company hereby created shall also have power to enter upon and occupy the lands of individuals or of companies, on making payment therefor or giving security according to law, for the purpose of erecting, constructing, maintaining or managing any public work, such as is provided for or mentioned in the second section of this act, and to construct and erect such works thereon, and also such buildings, improvements, structures, roads or fixtures as may be necessary or convenient for the purposes of the said company under the powers herein granted, and to purchase, make, use and maintain any works or improvements connecting or intended to be connected with the works of the said company, and to merge or consolidate or unite with the said company, the improvements, property and franchises of any other company or companies, on such terms and conditions as the said company may agree upon, and to fix and regulate the tolls or charges to be charged or demanded for any freight, property or passengers traveling or passing over any improvement erected, managed or owned by the said company, or any merchandise or property transported over any road whatever by the said company, and to make from time to time dividends from the profits made by said company; the several railroads managed by said company shall continue taxable as heretofore, in proportion to their length within the state respectively; and the said Surety Contract Company shall be taxable only on the proportion of dividends on its capital stock and upon net earnings or income, only in proportion to the amount actually carried by it within the state of Pennsylvania; and all its earnings or income derived from its

May enter upon lands, erect works thereon, &c.

How railroads managed by, to be taxable.

How company to be taxable.

business beyond the limits of this commonwealth shall not be liable for taxation.

SECTION 5. The capital stock of said company shall consist of two thousand shares of the value of fifty dollars each, being one hundred thousand dollars, and with the privilege of increasing the same, by a vote of the holders of a majority of the stock present at any annual or special meeting, to such an amount as they may from time to time deem needful; and the incorporators, or a majority of them, named in the first section of this act, shall have power to open books for subscriptions at such times and places as they may deem expedient; and when not less than one thousand shares shall have been subscribed, and twenty per centum thereon shall have been paid in, the shareholders may elect not less than three nor more than nine directors, to serve until the next annual election or until their successors shall be duly elected and qualified; and the directors, so elected, may and they are hereby authorized and empowered to have and to exercise, in the name and in behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock be increased at any time, the stockholders at the time of such increase shall be entitled to a *pro rata* share of such increase, upon the payment of the instalment thereon duly called for; and whenever an increase of capital stock is made a certificate thereof, duly executed under the corporate seal of the company and signed by the president and secretary, shall be filed with the auditor general before the same shall be deemed to be valid.

SECTION 6. The principal office of the said company shall be at Meadville; but the directors, under such rules and regulations as they may prescribe, may establish branches or agencies in other parts of the state or elsewhere; all of the directors of said company shall be citizens of the United States and reside therein.

SECTION 7. The directors shall be elected annually by the stockholders on the first Tuesday of June of each year, and they shall elect from their number, at the first meeting of the board after their election, a president, and shall also have power to elect, from their number or otherwise, a vice president, a treasurer and secretary, and such other officers, clerks and agents as the business of the company may require; all elections of directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by him; but no person shall be eligible as director who is not a stockholder to the amount of ten shares; at the annual or special meeting a quorum shall consist of stockholders owning at least one-half of the capital stock.

SECTION 8. Ten days' notice shall be given, by publication in two newspapers published in the city of Harrisburg, of the time and place of the annual election; which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.

SECTION 9. The board of directors shall make all by-laws ^{By-laws.} necessary for conducting the business of the company, which by-laws shall at all times be accessible to persons transacting business with them; the said directors shall have power, by a vote of a majority of their number, at any meeting of the board, to change the name of said corporation, and by any ^{Change of name} new name, thus adopted, upon filing with the secretary of the commonwealth and the auditor general a truly certified copy, the said company shall have, hold and enjoy all the rights, powers, privileges and immunities hereby granted; the directors shall have power to require payment of the amount remaining unpaid on the stock of said company, at such times ^{Assessments on stock.} and in such proportions as they shall think proper; the said assessment to be made as the by-laws of said company shall direct.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1073.

An Act

To vacate a portion of Hancock, Perry and Thirteenth streets, in the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Hancock street as extends from Dock street to Peach alley, so much of Perry street as extends from Thirteenth to Fifteenth streets, and so much of Thirteenth street, as extends from Dock street to the line of the Lehigh and Susquehanna railroad, in the said borough, be and the same are hereby vacated.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1074.

An Act

Supplementary to the act incorporating the borough of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Council authorized to have public square and streets re-surveyed.

To cause draft to be made.

Draft to be deposited with town clerk for public inspection.

Objections to survey to be heard.

Proceedings.

Draft to be recorded.

are hereby authorized to, within one year from and after the passage of this act, cause an accurate survey of the public square and of the several roads, streets, lanes, courts and alleys within the said borough to be made, and when such re-survey is completed, shall cause a draft, plan or chart of the borough to be made, showing the squares, streets, roads, lanes, courts and alleys in the same, with the width of the same and the grade thereof, and also showing which of the said streets, roads, lanes, courts and alleys are already opened, and which are yet unopened; and the said draft, plan or chart, when completed, shall be deposited in the office of the town clerk of the said borough, for the public inspection and examination of the citizens of the said borough; that as soon as the said draft is thus deposited in the office of the town clerk, it shall be the duty of the said town clerk to give notice in two daily newspapers published in the said borough, for at least ten days, that such re-surveys and plans have been completed, and that on a certain day therein stated, not less than thirty days after the first publication of said notice, the town council will hear any objections or complaints against the same, or any petitions for a change therein, and that the said chart, plan or draft has been placed in the office of the town clerk of said borough, where the same is to be open to the inspection and examination of the citizens of the said borough, and will remain so until the day fixed and appointed to hear objections as aforesaid; and the said town council shall on the day and time appointed, meet and hear, and adjudge and determine whether any and what alteration or change shall be made therein; that all complaints and objections, or petitions for changes or alterations must be made in writing, and filed in the office of the town clerk at least six hours previous to the time appointed for the meeting of town council; and after the said town council shall have heard and decided all such complaints, objections or petitions, and shall have finally adopted said re-survey, they shall cause two drafts, plans or charts of the said re-survey as finally adopted to be prepared as aforesaid, and shall direct one of said drafts, authenticated under the seal of the said borough, by the president of the town council and the town clerk, to be recorded in the office for the recording of deeds in and for the county of Northampton, and the other one authenticated in the same manner, shall be deposited amongst the archives of the borough, and

thenceforth shall be and remain as the survey, chart and grade of the borough, unless altered or changed in the manner hereafter provided: *Provided*, That in the making and adoption of the said re-survey, chart, plan or draft, the said town council shall have power to widen, narrow or vacate any of the streets, roads, lanes, courts or alleys of the said borough, or any portion of the same, as shall to them seem best: *Provided*, That no street, lane, alley, court or road, or any part or portion thereof, shall be thus widened, narrowed or vacated, unless by a vote of two-thirds of all the members of the town council.

Proviso.

Proviso.

SECTION 2. That after the said draft, chart, or plan shall have been recorded, as is provided in section one, it shall and may be lawful for the town council to alter or change the grade of, or to vacate, or narrow or widen any of the streets, lanes, roads, courts or alleys of the borough, or any part or portion of the same: *Provided*, That previous to so doing a petition, signed by at least ten citizens, praying to have such action taken, shall have been presented to town council, at a stated meeting thereof, and the consideration thereof laid over for at least two weeks, and that ten days' notice have been given by advertisement, in at least one daily paper published in the said borough, before council takes action thereon, setting forth the fact that a petition for such purpose has been presented, and will be acted on at the time and place in said advertisement stated: *Provided*, That no grade shall be altered or changed, nor any street, lane, road, court or alley or any part or portion thereof, be vacated, narrowed or widened, unless by a vote of two-thirds of all the members of town council.

Councils may vacate or alter streets, &c.

Proceedings.

SECTION 3. That the said town council shall have the power, at any time hereafter, whenever they may deem that the interests of the borough may require it, to lay out, name, designate and fix the boundaries and grade of any new street, lane, road, court or alley in the said borough, not laid down in the chart, draft or plan as provided for in section one: *Provided*, That no such new street, lane, court, road or alley shall be laid down and opened unless public notice shall be given by the said council, by advertisement, for at least thirty days, in at least one of the daily papers published in said borough, that at a time therein stated council will take action in reference to the opening of said new street, road, court, lane or alley, particularly designating and bounding the same: *And also provided*, That no such new street, road, lane, court or alley shall be laid down, designated or opened unless by a vote of two-thirds of all the members of town council.

New streets, &c

SECTION 4. That whenever any damages may arise to any property owner or citizen, by reason of the opening, widening or narrowing of any of the streets, roads, lanes, courts or alleys in the said borough, or the opening of any new street, road, lane, court or alley, it shall and may be lawful for the said town council to settle with the said party claiming damages, on such terms and for such amount as may be agreed upon by the town council and the said claimants, (provided the said town council and the said town council and the said

Damages.

claimants can so agree,) and pay the said amount thus agreed upon as payment in full for all the damages thus sustained accruing or arising: *Provided*, That no payment shall be made or settlement agreed upon, under this section, unless by a vote of two-thirds of all the members of town councils.

SECTION 5. That all acts or portions of acts heretofore passed inconsistent herewith be repealed, so far as the same are inconsistent herewith.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1075.

An Act

To vacate a part of North street, in the borough of Port Carbon, Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That twenty-six feet on the northwardly side of North street, in the borough of Port Carbon, Schuylkill county, between First street and Swift, and Patterson's addition to said borough, be and the same is hereby vacated.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1076.

A Supplement

To an act, entitled "An Act to punish the sale and traffic in mineral water bottles and other bottles, and for the protection of bottlers and venders of mineral waters and other beverages in this commonwealth," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, extending the same to the counties of Northampton, Lehigh, Bucks, Carbon and Monroe.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to punish the sale and traffic in mineral water bottles and other bottles, and for the protection of the bottlers and venders of mineral water and other beverages in this commonwealth," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, be and the same is hereby extended to the counties of Northampton, Lehigh, Bucks, Carbon and Monroe: *Provided,* That the penalties prescribed in said act shall apply only to persons who shall fill, sell, buy, traffic in or dispose of such bottles as in said act set forth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1077.

An Act

Authorizing the borough of South Easton, in the county of Northampton, to levy and collect tax for borough purposes and to fill vacancies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and council of the borough of South Easton, in the county of Northampton, may levy and collect

Borough tax not exceeding two per centum, authorized. annually, for borough purposes, any tax not exceeding two cents on the dollar on the valuation assessed for county purposes, as now is or may be provided by law; all property, offices, professions and persons, made taxable by the laws of this commonwealth, for county rates and levies, shall be taxable after the same manner for borough purposes.

Vacancies in council.

SECTION 2. The said burgess and council of the said borough of South Easton shall have the right, power and authority to fill all vacancies that may occur in the said council, by death, resignation, removal or otherwise, until the same shall be filled by the election by the inhabitants of the said borough as now authorized by law, at the next annual election duly authorized to fill the same.

Chief of police.

SECTION 3. That the said burgess and town council shall be authorized to appoint a chief of police, by a two-third vote of the whole number of council, and to define his duties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1078.

An Act

To vacate Twenty-sixth street, in the Twenty-sixth ward, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Twenty-sixth street, north of Washington avenue, to Gray's Ferry road, in the Twenty-sixth ward, in the city of Philadelphia, be and the same is hereby vacated, by the first day of July, Anno Domini one thousand eight hundred and seventy-one.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1079.

A Supplement

To an act of April sixth, one thousand eight hundred and sixty-nine, relative to paving of Passyunk road from Broad street to Point Breeze.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That such part of the act of April sixth, one thousand eight hundred and sixty-nine, as relates to the macadamizing of Passyunk road from Broad street to Point Breeze, in the city of Philadelphia, be amended to read as follows: To curb and pave from Broad street to Point Breeze with rubble pavement, and that the department of highways of the city of Philadelphia be empowered to have the same done in accordance with the provisions of said act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1080.

A Supplement

To an act, entitled "An Act to extend the provisions of an act, entitled 'An Act relating to the liens of mechanics, material-men and laborers upon leasehold estates and property thereon, in the county of Venango,' approved the sixteenth day of March, Anno Domini one thousand eight hundred and seventy," numbered four hundred and forty-four, of the acts of assembly for the year one thousand eight hundred and seventy, be extended to the counties of Armstrong, Clarion and Butler.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section third of the said act allowing to material-men the period of thirty days for giving notice of intention of entering lien for materials, be so amended and altered as to allow and extend the time for giving such notice to ninety

days from the time the purchaser or purchasers of said materials shall commence using the same upon any of said buildings, whether for repairs or otherwise; the terms of this provision to apply only to the counties of Armstrong, Clarion and Butler.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1081.

A Further Supplement

To an act approved March eleventh, one thousand eight hundred and fifty-one, entitled, *inter alia*, "An Act for the alteration of the borough law of Lewisburg," relative to repairing side-walks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Lewisburg are hereby authorized to order and direct lot-owners in said borough to take up and relay, at the expense of such lot-owners, any pavements in said borough which have become unfit or inconvenient for use by reason of dilapidation and decay, or by reason of insufficient materials used in the construction of the same, or by reason of a change of the grade of the street by excavation or otherwise not authorized by said burgess and town council; and the provisions of this act shall be enforced in the same manner as provided in section fifth of an act approved March eleventh, one thousand eight hundred and fifty-one, entitled, *inter alia*, "An Act for the alteration of the borough law of Lewisburg."

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1082.

A Supplement

To an act, entitled "An Act to incorporate the Lehigh Mountain Turnpike Company," approved March twenty-third, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Christian Pretz, Henry Schnureman, Joshua Stahler, Charles W. Cooper, John Gross, Henry Beiber, Robert Dubbs, Moses Keck, Henry Ritter, F. T. Jobst, Robert Yost, Henry B. Person, Milton Cooper, Aaron N. Lares, Joseph Wittman, Daniel Stahler and Charles B. Weber be added as corporators.

SECTION 2. That the name, style and title of the said company shall be the Allentown and Coopersburg Turnpike Company.

SECTION 3. The said company shall have power to construct a turnpike or plank road, commencing at some convenient point at Allentown, in the county of Lehigh, and extending thence by the best and most practical route, via the residence of Charles Wittman, in Upper Saucon township, said county, to a point in the public road leading from Coopersburg to Philadelphia, immediately south of Coopersburg, and on the line dividing Bucks county from Lehigh county.

SECTION 4. The capital stock of said company shall be thirty thousand dollars, divided into three thousand shares of ten dollars each, with the privilege of increasing the same from time to time, by a vote of the stockholders, as may become necessary for the full and entire construction of the said turnpike or road.

SECTION 5. The said company shall have power and authority to erect toll-gates as soon as one mile or any portion of said road is completed.

SECTION 6. The said company, by resolution of its board of directors, shall have power to borrow money to an amount not exceeding two-thirds of the cost of the construction of the road, and at a rate of interest not exceeding seven per centum per annum, and to issue the bonds, coupons or otherwise, of the said company therefor; and said bonds so issued shall be a lien upon the said road.

SECTION 7. That anything in the act to which this a supplement inconsistent herewith be and is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1083.

An Act

In relation to the collection of state and county taxes in the township of Eldred, in the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the date of the passage of this act the collection of the state and county taxes in the township of Eldred, in the county of Schuylkill, shall be given to the lowest bidder for the same, proposals to be presented to the commissioners of said county at least three weeks prior to the giving out to said collection of taxes; and the difference between the compensation now allowed by law, for the collection of said taxes, and lowest bid made, accepted under the provision of this act, shall be paid by the said commissioners into the common school fund for the purpose of education in said township: *Provided,* That the said collector shall give good and sufficient security to said commissioners for the true performance of his duty in the collection of taxes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1084.

An Act

To authorize the supervisors of the township of Richmond, in the county of Crawford, to purchase a site, erect a town hall thereon, and to levy and collect taxes for the purpose of paying therefor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supervisors of the township of Richmond, in the county of Crawford, are hereby authorized and empowered, if deemed advisable, to procure by purchase or otherwise, on a suitable place in said township, a site for the erection and

Supervisors
may erect town
hall.

use of a town hall, and to build or cause to be built and finished thereon a town hall, to be used for election and other purposes.

SECTION 2. Said supervisors are authorized and empowered to use, in the erection and completion of said town hall, any money now in the road fund treasury of said township not otherwise appropriated; and they shall also have power, for the same purpose, to levy and collect a tax not exceeding ten mills per dollar on the valuation for township purposes at the time of said levy: *Provided*, That the surplus money, if any, after the erection and completion of said hall, shall be placed in the treasury to be used for road purposes in said township.

May use road funds.

May levy and collect tax.

SECTION 3. That after said house shall have been erected, in pursuance of the provisions of this act, the qualified voters of said township shall hold their township and general elections thereat until otherwise provided by law; the possession and control thereof to be in the supervisors aforesaid, for the purposes aforesaid, and for the use of the supervisors, auditors and other officers of said township in the transaction of the business appertaining to their respective offices, and such other public uses as said supervisors may deem useful and proper.

Hall to be used for elections, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1085.

An Act

To annex a portion of Girard township, in the county of Erie, to the borough of Girard, for school purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the territory embraced within the following boundaries, embracing the whole of the borough of Girard and a portion of the township of Girard, in the county of Erie, is hereby created a school district, by the name of the school district of Girard borough, with all the rights, powers and privileges of an independent school district.

School district, created.

SECTION 2. That the said school district shall be bounded

Boundaries.

as follows, to wit: Beginning at the south-west corner of land of Robert Wilcox at a point on the right bank of Elk creek; thence north along the west line of said Wilcox to the north-west corner of land of said Wilcox; thence east along the north line of land of the said Robert Wilcox to the Old Depot road; thence from the Depot road aforesaid in an easterly direction to the intersection of Rice avenue with the Hathaway road; thence east along the Hathaway road to the canal; thence in a northerly and easterly direction along the berme bank of the said canal to the division line between the land owned by C. M. Reed, W. C. Culbertson and G. C. Gallowhur; thence in a south-easterly direction along said division line to a point on the old state line at the south-east corner of land of C. M. Reed; thence east along said old state line about twenty-five rods to the north-east corner of land of R. S. Battles; thence south following the east line of said Battles' land about eighty rods to a corner of said land; thence west along the southern line of said R. S. Battles' land to the entrance of the highway leading to the aqueduct; thence south along said highway to the south-eastern corner of said Battles' land; thence west along the southern line of said land to the right bank of Elk creek aforesaid; thence along said bank of said creek following the course of the same to the place of beginning.

Taxes.

SECTION 3. That the taxes assessed upon the property, real and personal, within the bounds of said new district, for the year eighteen hundred and seventy-one and thereafter, shall be collected for the use of said district; and the officers of the present school district of Girard borough shall be the officers of the new district until the next annual election of school directors, on the third Friday in March, Anno Domini one thousand eight hundred and seventy-two, at which time two new directors shall be chosen by the qualified electors within the bounds of said new district; said election to be conducted by the judge and inspectors of election for the borough of Girard; and annually thereafter two school directors shall be elected for said new district.

Election of directors.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1086.

An Act

To set off the farms of J. D. Angier, Robert Lewis and Abram Pastorius, deceased, situated in Oil Creek township, Crawford county, into the Breedtown school district, Cherry Tree township, Venango county, for school purposes only.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the three farms situated in Oil Creek township, Crawford county, owned respectively by J. D. Angier, Robert Lewis and the heirs of Abraham Pastorius, deceased, are hereby set off from said Oil Creek township, Crawford county, into what is now the Breedtown school district, in Cherry Tree township, Venango county, for school purposes only.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1087.

An Act

To incorporate the Merchants' Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel G. Scott, James S. Young, Thomas F. Blackmore, Casper H. Duhring, Charles B. Williams, Joel J. Bailey, Benjamin G. Godfrey, Lucius P. Thompson, John Field, James S. Martin, Andrew J. Sloan, Edmund Lewis, Daniel W. Chandler, Judson R. Sprague, and such other persons as may from time to time become associated with them, and their successors, are hereby created a body politic and corporate, by the name of the Merchants' Association of Philadelphia, and by that name shall have perpetual succession, to sue and be sued, implead and be impleaded, to have a common seal, which they

Corporators.

Name.

Powers and
privileges.

break, alter and renew at pleasure, and with all the powers, rights and incidents of a corporation; and also the right to take, have, hold and enjoy all such estates, real, personal and mixed, as may be obtained by the investment of their capital stock, and of all other moneys and funds that may come into their possession in the course of their business, and the same to sell, grant, mortgage, pledge and dispose of at their pleasure: *Provided however,* That the real estate so held by them shall be only that which they may use or occupy as their place of business, and such as may come into their possession in the satisfaction of any debt due to them, upon mortgage or judgment, or as assets belonging to estates of debtors or others, from whom the same shall be received in the legitimate transactions of their business.

Capital.

SECTION 2. The capital stock of said corporation shall consist of five hundred shares, of one hundred dollars each, and by a vote of the stockholders, present at any general meeting called for that purpose, may be increased to an amount not exceeding two thousand shares, at one hundred dollars each; and the said corporation shall be authorized to commence business when two hundred and fifty shares are subscribed for.

Commence-
ment of busi-
ness.

Management.

SECTION 3. The affairs of the company shall be managed by a board of directors, to consist of not less than five stockholders, one of whom shall be elected by such board, president of the company; and said board shall appoint and employ such other officers, agents and servants, and fix their compensation and duties in such way as may be authorized by the by-laws of the corporation, adopted at any general meeting of the stockholders thereof.

Meeting of
stockholders.

SECTION 4. A general meeting of the stockholders for the election of officers and the adoption of by-laws shall be held within twenty days after two hundred and fifty shares of stock shall have been subscribed for; and the directors then chosen shall forthwith proceed to collect the subscriptions to the capital stock, and when the sum of twenty-five dollars for each share subscribed has been so collected, they shall so certify the same to the governor of the commonwealth, under their hands and seals; and thereupon the governor shall, by letters patent under the great seal, create the stockholders a corporation for the purposes given by this act.

Collection of
subscriptions to
stock.

When letters
patent to issue.

Objects.

SECTION 5. The objects of the corporation shall be to such extent and within such limits as the directors may deem expedient to protect its members and others, associates who may co-operate for the general benefit and advancement of mercantile or other business interests against fraud, over-trading, insolvency, loss by delinquent or failing debtors, and other casualties incident to commercial transactions, to receive and impart information respecting debtors and applicants for credit, or others having business with members or associates of this company, to collect debts, effect settlements, compromises, adjust and close up unsettled matters, to purchase claims, accounts, judgments, mortgages or other evidences of indebtedness, to guarantee the payment or collection of debts of lawful contracting, due or to become due, and to control interests and estates of such persons as may require aid and

protection in their business, and for these purposes they shall have power to make such contracts and agreements, under the seal of the corporation, as may be proper and convenient for the purposes thereof.

SECTION 6. Dividends of the profits of said corporation shall be made semi-annually among the stockholders on the first Monday in May and November, but no dividend shall be made by which the capital stock shall be impaired. Dividends.

SECTION 7. A general meeting of the stockholders for the election of officers and transaction of business generally, shall be held at the office of the company, which shall be located in the city of Philadelphia, on the second Tuesday in January annually, at which meeting the directors shall present a report of the business of the company and of its results for the preceding year. In all elections for directors and settlement of other questions, where a division is called for, each share of stock shall be entitled to one vote; and for the purpose of holding any election, annual or special, and taking such votes, the directors shall appoint one week before any such election two stockholders to act as judges of such election, who shall certify to the president of the company the result of such election, and the proceedings of such annual or special meetings; notice of the holding of all general meetings, whether annual or special, shall be given by the directors, by publication in one or more daily papers printed and published in the city of Philadelphia, daily for one week previous to the holding of such meeting; and in case of failure to hold any annual meeting or to elect officers thereat, the corporation shall not for that cause be dissolved, but the directors then in office shall continue in office until others be chosen at the next annual meeting or a meeting specially called for that purpose; special meetings may be called by the directors whenever they may deem it necessary; and the president of the company shall call a special meeting whenever he may be requested so to do by five or more stockholders holding not less than one hundred shares of the capital stock; such application shall be in writing, and shall the objects of the proposed meeting, which shall be set forth in the advertisements calling such meeting. Annual meeting of stockholders.

SECTION 8. The legislature hereby reserves the power to amend, alter or revoke the privileges hereby given, in such manner, however, that no injustice shall be done to the corporators. Votes.
Judges of elections to be appointed.

SECTION 9. The legislature hereby reserves the power to amend, alter or revoke the privileges hereby given, in such manner, however, that no injustice shall be done to the corporators. Notice of meetings.
Failure to hold annual meetings or elect officers thereat.

SECTION 10. The legislature hereby reserves the power to amend, alter or revoke the privileges hereby given, in such manner, however, that no injustice shall be done to the corporators. When special meetings may be called.

SECTION 11. The legislature hereby reserves the power to amend, alter or revoke the privileges hereby given, in such manner, however, that no injustice shall be done to the corporators. Right to repeal or amend.

SECTION 12. The legislature hereby reserves the power to amend, alter or revoke the privileges hereby given, in such manner, however, that no injustice shall be done to the corporators.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1088.

A Supplement

To an act to incorporate the Pittsburg and Ormsby Passenger Railroad Company, authorizing said company to have viewers appointed to fix compensation for property taken for the use of said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in case the Pittsburg and Ormsby Passenger Railroad Company shall not be able to agree with any person or persons in regard to the compensation to be paid to said person or persons for the taking, using and holding of any private property, lying and being on or near their road, in the county of Allegheny, for the use thereof, the court of common pleas of Allegheny county shall appoint viewers, upon the petition of any person interested, to fix the rate of compensation for taking, using and holding of such private property, subject to all the provisions of the act regulating the appointment of viewers under the several railroad laws.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1089.

An Act

Fixing the bonus to be paid by the Reno Company upon its capital stock, and the time for paying the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section six of the act, entitled "An Act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth to manage and develop the same," approved April twenty-one, one thousand eight hundred and fifty-four, be and the same is hereby repealed, so far as the

same affects the Reno Company; and that in lieu thereof the said the Reno Company shall be required to pay the state treasurer, for the use of the commonwealth, a bonus of one-quarter of one per centum upon the amount of its capital stock; said bonus to be paid in four equal annual instalments, commencing one year from the first day of January next.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1090.

A Supplement

To an act, entitled "An Act to incorporate the Twenty-Second Ward Bank of Germantown, to be located in the Twenty-second of the city of Philadelphia."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of the Twenty-second Ward Bank of Germantown, incorporated by an act approved the seventeenth day of May, A. D. one thousand eight hundred and seventy-one, be and the same is hereby divided into shares of the par value of fifty dollars each: *Provided,* That the number of shares required to be subscribed previous to the organization of said bank shall be four hundred, instead of two hundred shares, as required by the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1091.

An Act

Relating to the duties of register in and for the county of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act approved March the seventeenth, one thousand eight hundred and seventy-one, relative to the duties of the register in and for the county of Cumberland, be and the same is hereby applied to the county of Franklin.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1092.

A Supplement

To an act relative to mechanics' liens in the counties of Westmoreland, Columbia and Elk, approved April ninth, one thousand eight hundred and forty-nine, extending the provisions of said act to Northumberland county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act relative to mechanics' liens in the counties of Westmoreland, Columbia and Elk, approved the ninth day of April, one thousand eight hundred and forty-nine, be and the same is hereby extended to the county of Northumberland.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1093.

An Act

Authorizing the school directors of Tuscarora township, Juniata county, to appropriate money to liquidate the bounty claims against said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school directors of Tuscarora township, Juniata county, are hereby authorized and required to pay to the treasurer of the bounty fund of said township, out of the school funds now collected, or that may hereafter be collected, such amount as may be necessary to liquidate the bounty claims against said township, not exceeding the sum of three hundred dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1094.

An Act

For the payment of an annuity and gratuity to Daniel Finley, in the county of Erie, Pennsylvania, a soldier of the war of one thousand eight hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That state treasurer is authorized to pay to Daniel Finley, of Erie county, a soldier of the war of one thousand eight hundred and twelve, and residing in Erie county, a gratuity of forty dollars, and an annuity of forty dollars per annum, beginning on the first day of January, one thousand eight hundred and seventy, which annuity shall be paid semi-annually, and continue during the natural life of the said Daniel Finley: *Provided,* That when the general government shall provide by law for the payment of pensions to the soldiers of pensions,

to the soldiers of the war of one thousand eight hundred and twelve, then the pension hereby granted shall cease.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1095.

An Act

Repealing a tax on dogs in the townships of Green and Logan, and in the borough of Logansville, in the county of Clinton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section a supplement to an act, entitled "An Act relating to dogs in Allegheny, Chester, Northampton, Schuylkill and Lancaster counties," approved the twenty-first day of March, one thousand eight hundred and sixty, be and the same is hereby repealed, so far as the same relates to taxing of dogs in the townships of Green and Logan, and the borough of Logansville, in the county of Clinton; and all moneys collected and to be collected as dog tax shall be appropriated to the school fund of said townships and borough aforesaid for school purposes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1096.

An Act

To incorporate the Philadelphia Association Pennsylvania Reserve Volunteer Corps.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That General George G. Meade, Colonel Thomas T. B. Tapper, General Horatio G. Sickles, Colonel William B. Mann, Colonel John H. Taggart, Private John B. Denny, Private W. H. Billings, Private J. B. Paxon, Colonel James Brady, Lieutenant R. R. Smith, Private W. H. Ryan, Sergeant J. H. Killingsworth, General William B. M'Candless, Captain D. Wonderly, Captain A. Riddle, Private Joseph Bryant, and all other persons who shall hereafter become members in the association incorporated, are hereby created a body politic and corporate, by the name and style of the Philadelphia Association Pennsylvania Reserve Volunteer Corps, the object of which shall be for the members thereof and their heirs to mutually aid, in a friendly manner, all members who may stand in need of aid and encouragement, to administer aid and consolation to members in sickness and distress, and bury with appropriate honors all deceased members; they shall also have power to organize the members thereof into an independent military corps, for the purposes herein contained, to repel invasion and suppress domestic violence, and shall be capable in law of contracting and being contracted with, and of suing and being sued, pleading and being impleaded in any court whatever, either in law or equity, in this state or elsewhere, and they and their successors shall and may have a common seal, and may change the same at their will and pleasure, and may also from time to time at any stated meeting of said association, by a majority of votes, ordain, establish and put in execution such by-laws, ordinances, rules and regulations, the same not being contrary to this act or the laws of this commonwealth, as may appear to them necessary or expedient for the management of said association, its business and affairs, and may from time to time alter or repeal the same or any of them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1097.

A Supplement

To an act repealing an act relative to cattle, horses, sheep and swine, so far as relates to certain boroughs and townships in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act approved the fifth day of April, one thousand eight hundred and seventy, so far as relates to the township of Bloomfield, in the county of Crawford, is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1098.

A Supplement

To an act, entitled "An Act fixing the compensation of the supervisors of the township of Hanover, and the North and South districts of Wilkesbarre township, Luzerne county," approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, extending the same to the township of Plains, in said county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act fixing the compensation of the supervisors of Hanover, and the North and South districts of Wilkesbarre township, Luzerne county," approved the thirteenth day of April, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the township of Plains, in said county of Luzerne.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1099.

A Supplement

To the Bloomsburg act of fourth March, one thousand eight hundred seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the town council of Bloomsburg may from time to time levy and impose upon all property and objects of taxation in said town, liable to taxation for town purposes, all such taxes as shall be necessary to pay the debts and obligations of the township of Bloom, incurred or existing before the organization of said town; but such taxes shall be imposed and levied without regard to the classification of real estate or rates of taxation thereon, provided for in the ninth section of the act to which this is a supplement, and the same shall be collected in the same manner as other taxes of said town; the said taxes shall be separately levied at such rates as the council, in their discretion, shall fix, and separate and distinct accounts thereof and of the application of the same shall be kept, and published in the annual statements of the town.

Town council of Bloomsburg may levy taxes to pay debts of Bloom township.

To be levied and applied separately.

SECTION 2. That the map of said town of Bloomsburg, now being made by Samuel Neyhard, under the authority of the town council, exhibiting the boundaries, streets, lanes and alleys of said town shall, when completed, be submitted for correction and approval to the court of quarter sessions of the peace of Columbia county, and the same, when approved by said court, shall be filed of record; and thereupon and thenceforth the roads, streets, lanes and alleys set forth on said map shall, according to their location thereon, be held and taken to be public highways, subject, however, to the provisions of the fourth section of this act; the said court shall hear and consider any complaint or objection made to it by any citizen of said town or owner of real estate therein, against the correctness of said map, or the location of the lines or parts thereof, prior to the approval of the same, and may take such order thereon and make all such decrees relating thereto as shall pertain to justice, and to the public interests and convenience; and the said court, when application shall be made for the approval of said map, shall order public notice thereof to be given, in at least one newspaper of said town, for at least four weeks prior to the next succeeding term of the court, and shall defer further action upon such application until the said succeeding term; the said map, at all times after the approval of the same by the court, and any copy or duplicate thereof, whether upon the same or upon a larger or smaller scale, duly certified to be true and correct by the clerk of the said court, and verified by the court seal, shall be receivable in evidence in any suit, prosecution or proceeding whatsoever in which the same shall be pertinent, and shall be held as

Certain map to be submitted to court for approval.

When approved to be recorded.

Court to hear complaints.

Notice of application for approval.

Certified copy of approved map to be evidence.

conclusive evidence of the true location of the boundaries and highways of said town, as established at the date of its approval, and as *prima facie* evidence of the situation and boundaries or limits of lots, out-lots, farm lands, canal wharves, landings, railroads, buildings and structures of said town at the same time, so far as the same shall be set forth, delineated or mentioned on said map.

Buildings erected on highways to be permitted to remain.

Exceptions.

SECTION 3. All buildings heretofore erected within the lines of highways of said town, or projecting thereon, shall be permitted to remain in their present locations until the same shall be re-built, re-constructed, abandoned or removed by the owners thereof, unless the same or necessary parts thereof, or the spaces occupied thereby, have been or shall be taken for public use upon compensation made according to law; but no re-erection or re-construction of such buildings shall be lawful which shall intrude upon or be within the limits of such highways, as fixed by the town map aforesaid, or hereafter laid out and established pursuant to law; nor shall any lapse of time be held to confer, upon any person whatever, any right of occupancy or title, as against the public, to any ground within the limits of any highway as aforesaid, except as provided by this act.

Powers of corporate authorities in regard to improvement of side-walks.

SECTION 4. The corporate officers of said town shall have all the powers conferred upon boroughs by the fifth and sixth articles of the second section of the act of third of April, one thousand eight hundred and fifty-one, regulating boroughs, in regard to the improvement of side or foot-walks upon or along any highway within the built-up parts of said town, whenever a majority of the owners of lots along such highway shall apply to the council for the grading, curbing, paving and guttering of the same; but such application shall be in writing, duly signed by said lot-owners, and be recorded in the minutes of the council and filed among their records.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1100.

An Act

Granting Lyman Robinson of Wattsburg, Erie county, a soldier of the war of eighteen hundred and twelve, an annuity and a pension.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer is hereby authorized and required to pay to Lyman Robinson, of Wattsburg, in the county of Erie, the sum of forty dollars as a gratuity, and an annuity of forty dollars per year, during his natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and seventy: *Provided*, That when the general government shall provide by law for the payment of pensions to the soldiers of the war of eighteen hundred and twelve, then the pension hereby granted shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1101.

A Supplement

To an act, entitled "An Act to extend the provisions of an an act, entitled 'An Act relative to the collection of school tax in the township of Solebury, Bucks county,' approved the twelfth of March, Anno Domini one thousand eight hundred and sixty, to the townships of Wrightstown, Lower Makefield, Falls, Buckingham, and to the borough of Morrisville, Bucks county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following words in section sixth of the original act, as extended to Morrisville borough, "as other debts are now collected by law," be so changed as to read "as it is now collected by law."

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1102.

A Supplement

To an act, entitled "An Act to incorporate the Homer, Cherry Tree and Susquehanna Railroad Company, with power to construct a railroad," approved March twenty-fourth, one thousand eight hundred and sixty-eight, validating certain subscriptions to the capital stock of said company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all subscriptions heretofore taken to the capital stock of the Homer, Cherry Tree and Susquehanna Railroad Company, are hereby declared to be valid and binding, notwithstanding there were not paid the five dollars per share at the date of the subscription thereto, as required by act of assembly, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine, relating to railroad companies.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1103.

An Act

Directing that the annuity and gratuity provided for by acts of assembly, approved the thirtieth day of March, one thousand eight hundred and sixty-six, and the twenty-fourth day of March, one thousand eight hundred and sixty-eight, be paid to Daniel Keely, of Venango county, a soldier of the war of one thousand eight hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the annuity and gratuity provided for by the acts of assembly, approved March thirtieth, one thousand eight hundred and sixty-six, and March twenty-fourth, one thousand eight

hundred and sixty-eight, respectively, be paid to Daniel Keely, of Venango county, a soldier of the war of one thousand eight hundred and twelve: *Provided*, The name of said Daniel Keely is found upon the muster rolls in the adjutant general's office as having rendered some service in the war of one thousand eight hundred and twelve: *Provided*, That when the general government shall provide by law pensions to soldiers of the war of one thousand eight hundred and twelve, then the pension hereby granted shall cease.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1104.

An Act

To authorize the treasurer of Westmoreland county to pay to Elizabeth Edwards the pension due to her mother at her death.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the county of Westmoreland be and is hereby authorized and required to pay to Elizabeth Edwards the same annual pension of twenty dollars, which would have been due to her mother, Catharine Swonger, a pensioner, if she had lived until the first day of January, Anno Domini one thousand eight hundred and seventy-one.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1105.

An Act

To repeal an act, entitled "An Act relating to the appointment of auditors in the courts of the county of Montgomery."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act relating to the appointment of auditors in the courts of the county of Montgomery," approved the eighteenth day of February, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1106.

An Act

To authorize the Mahanoy City school district, in Schuylkill county, to borrow money.

SECTION 1, *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of common schools in and for the school district of the borough of Mahanoy City, in the county of Schuylkill, be and they are hereby authorized and empowered to borrow money for and toward the erection of a school house or houses in said district, not exceeding fifteen thousand dollars, and to issue therefor, on the credit of said district, a bend or bonds of not less than one hundred dollars each, bearing interest at a rate not exceeding seven per centum per annum, exempt from taxation except for state purposes: *Provided,* That the location of the school house or school

houses to be erected by this loan shall be determined by the court of quarter sessions of the county of Schuylkill.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1107.

An Act

To authorize the state treasurer to pay a gratuity and annuity to William Humphry, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, William Humphry, a citizen of Le Raysville borough, Bradford county, Pennsylvania, enlisted in the war of one thousand eight hundred and twelve, in a Connecticut regiment; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby directed to pay to William Humphry a gratuity of forty dollars, and an annuity of forty dollars, from the first day of January, one thousand eight hundred and seventy-one; he, the said William Humphry, being a resident of Le Raysville borough, Bradford county, Pennsylvania: *Provided,* That when the United States grants a pension to the applicant in this case the annuity herein provided shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1108.

An Act

To extend the term of the county treasurer of Tioga county for one year.

WHEREAS, The time for the payment of unseated taxes in the county of Tioga comes during the first year of the term of the county treasurer:

And whereas, It is desirable to have the term of office so extended as to make the tax-paying year come the second year of the treasurer's term; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the term of the present treasurer of the county of Tioga be and the same is hereby extended for the term of one year beyond the period fixed by existing laws, and the present incumbent is hereby authorized to perform the duties of said office for the said period of one year, subject to all the restrictions and requirements provided by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

We do certify, that the bill, No. 1737, entitled "An Act to extend the term of the county treasurer of Tioga county for one year," was presented to the governor on the twelfth day of May, A. D. one thousand eight hundred and seventy-one, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore, it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

JAMES L. SELFRIDGE,

Clerk of the House of Representatives.

J. ZIEGLER,

Clerk of the Senate.

HARRISBURG, *May 25, 1871.*

No. 1109.

An Act

To increase the pay of supervisors and township auditors in the township of Wells, in the county of Fulton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That from and after the passage of this act the compensation of the supervisors of roads and township auditors in the township of Wells, in the county of Fulton, shall be one dollar and fifty cents per day, for each and every day necessarily employed by them in the discharge of their duties.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1110.

An Act

To authorize and empower the school directors of Montgomery township, in the county of Franklin, to exonerate Joseph M. Brewer, Jacob Brewer, Isaac Hoffman and Jacob Rummel, from the payment of bounty taxes.

WHEREAS, Joseph M. Brewer, Jacob Brewer, Isaac Hoffman and Jacob Rummel, contributed large sums of money for the purpose of raising bounty for volunteers to fill the quota of said township of Montgomery, to avoid draft, but failing to raise a sufficient sum, were subsequently drafted:

And whereas, There is now assessed against them and each of them, a large bounty in said township:

And whereas, The school directors to do justice and equity, are desirous of exonerating them from the payment of said bounty tax, but have no authority in law so to do; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the school directors of Montgomery township, in the county of Franklin, are hereby authorized and empowered to exonerate Joseph M. Brewer, Jacob Brewer and Jacob Rummel, from the payment of all bounty taxes now assessed against them or either of them in said township.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1111.

An Act

To attach the county of Sullivan to the Eastern district of the supreme court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That from and after the passage of this act the county of Sullivan shall be attached to and become a part of the Eastern district of the supreme court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1112.

An Act

To annul the marriage contract existing between William C. Wilkinson and Mary H. Wilkinson.

WHEREAS, William C. Wilkinson and Mary H. De Silver were married on the twenty-eighth day of November, Anno Domini one thousand eight hundred and sixty-seven, and lived together in wedlock until about the ninth day of March, Anno Domini one thousand eight hundred and seventy, when they separated:

And whereas, The said Mary H. Wilkinson, since her said marriage, has been afflicted with an unconquerable mania and thirst for opium, laudanum and liquors, and has been and is addicted to gross habits of intoxication, and in the desire to gratify these habits cannot be restrained from continually selling and pledging all things of value that come into her possession, to the detriment of herself and the discomfort of her said husband:

And whereas, The said parties are not cohabiting together, and have not so cohabited together since the time of their separation:

And whereas, The courts have not jurisdiction in the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract between said William C. Wilkinson and Mary H. Wilkinson, his wife, of the city of Philadelphia, in the state of Pennsylvania, be and the same is hereby annulled and made void, and the parties released and discharged from said contract, and from all duties and obligations arising therefrom, as fully as if they had never been joined in marriage.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1113.

An Act

To repeal an act, entitled "An Act to change the venue from Schuylkill county to Northampton county," approved the seventeenth day of March, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to change the venue from Schuylkill county to Northampton county," approved the seventeenth day of March, one thousand eight hundred and sixty-four, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1114.

An Act

To authorize the appointment of additional notaries public in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor is hereby authorized to commission additional notaries public for the county of Luzerne, to reside, one in the borough of White Haven, one in the borough of Ashley, one in the borough of Kingston, and one in the borough of Plymouth, one in the village of Wyoming, in Kingston township, one in the village of Moscow, in the township of Madison.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1115.

An Act

To incorporate the Plainsville Co-operative Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Sterling G. Learn, William A. Wagner, William Hurn, John Carnell, William H. Bennett, John James, John D. Wilcox, John Bren, William Staty, William Clements and John Nichols, and their associates, and such persons as shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name of the Plainsville Co-operative Association, and by the said name they and their successors shall have perpetual succession, and shall be, in law, capable of suing and being sued, pleading and being impleaded in all courts and judicatories whatever, and also of contracting and being contracted with relative to the business and objects of the said corporation as hereinafter

Corporators.

Name.
Powers and
privileges.

declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to purchase, rent or lease such real estate as may be necessary for the purpose of carrying on the business of the association, and in their corporate name to make and execute deeds of conveyance and other instruments of writing necessary in the transaction of the association.

SECTION 2. The capital stock of the association shall be one thousand dollars, with power to the stockholders to increase the same to one hundred thousand dollars, which may be divided into shares of ten dollars each, for which certificates may be issued, signed by the president, countersigned by the treasurer and sealed with the common seal of the association, which certificates shall be transferable by the owner thereof, under such rules and regulations as the association may adopt; and the stockholders may limit the number of shares each person may hold, not exceeding fifty shares to any one person.

SECTION 3. That the association shall have power, through its duly authorized agents, to carry on the business of general dealers, both wholesale and retail, to buy and sell all kinds of goods, wares, merchandise, produce, provisions, lumber, fuel and such other articles that may be necessary to carry on the business of general dealers, and to receive and sell goods on commission.

SECTION 4. That when the sum of one thousand dollars shall have been subscribed to said association, and paid in cash, there shall be an election held by the stockholders for eleven directors, who shall serve the association from the time of their election until the first Thursday of January thereafter ensuing, on which day, and annually thereafter, on the first Thursday of January, between the hours of five and twelve o'clock in the afternoon, of which three weeks' public notice shall be given, the election of the said directors shall be held; and the said directors shall elect one of their number president, to serve one year; the other officers of the association shall consist of a treasurer, financial secretary and recording secretary, who shall be elected by the stockholders, and their duties may be prescribed by the constitution and by-laws of the association; at all elections each stockholder shall have but one vote; if no election shall take place the association shall not for that cause be dissolved, but such elections shall take place as soon thereafter as may be, giving three weeks' public notice, as aforesaid; and the directors and officers shall hold over until their successors are elected.

SECTION 5. That the place of business of said association shall be in the borough or township of Plains, Luzerne county, Pennsylvania, and shall have power to do business in the adjacent boroughs and townships; and the stockholders and directors shall have power to adopt a constitution and by-laws, not inconsistent with the laws of the United States and of this commonwealth, and the same to alter, repeal or amend from time to time; and the stockholders shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them advisable, on the first Thursday

Capital.

Certificates.

Business.

Election of directors.

Notice.

Officers.

Votes.

Place of business.

Constitution and by-laws.

Dividends.

of January and July, in each year, which shall be paid to the stockholders on demand ten days after the same shall have been declared.

Fines and penalties.

SECTION 6. That the stockholders may, by their by-laws, impose any fine or penalty upon the officers or members of the association for a violation of any of its by-laws or any article of its constitution, not exceeding fifty cents at any one time.

Individual liability.

SECTION 7. The members of this body corporate shall be individually liable to the extent of the capital stock by them respectively subscribed, and which may be due and unpaid.

Bonus and taxes

SECTION 8. That the said association shall pay a bonus to the state of one-half of one per centum on the capital stock as paid in, payable in two equal annual instalments, the first payment to be made within one year after the passage of this act, and shall also pay such tax on dividends as is or may be provided by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1116.

An Act

To incorporate the Lebanon Mutual Life Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Lebanon Mutual Life Insurance Company, Incorporated.

That all persons who may become members of an association under this charter shall be and are hereby created a body politic and corporate in law, by the name, style and title of the Lebanon Mutual Life Insurance Company, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have a common seal and alter or renew the same at pleasure, and shall have all the powers and privileges enjoyed by other life insurance companies in this commonwealth.

Powers and privileges.

Management.

SECTION 2. The affairs of the company shall be managed by fifteen directors, five of whom shall constitute a quorum, and their officers shall be the officers of the company, and one-third of whom shall be elected annually for the term of three years. The following named persons shall be directors, and

their terms of office shall determine as follows: Martin Early, John Alwein, Edward Strickler, John Reinoehl and Gideon Snatterly, to be directors whose term of office shall expire at the time of the first annual election; W. M. Breslin, P. L. Weimer, G. T. Capp, Dr. Jonathan Zerbe and Josiah Funck, to be directors whose term of office shall expire at the time of the second annual election; and Isaac Hofer, Dr. W. M. Guilford, H. T. Hoffman, Samuel Hauch, Junior, and John H. Shirk, whose term of office shall expire at the time of the third annual election.

Directors
named.

SECTION 3. The election for directors shall be held at Lebanon, annually, on the last Saturday in January; and any member, without reference to the amount insured, shall be entitled to one vote, to be cast by him or herself in person: *Provided*, His or her dues are all paid up.

Annual election

Votes.

SECTION 4. Vacancies in the board of directors shall be filled by the board until the next annual election, when the same shall be filled by election for the unexpired term.

Vacancies.

SECTION 5. The surplus funds of the association shall be invested in United States first mortgage or state bonds; and the directors shall make out annually a full statement of their transactions and the condition of the affairs of the association, and send a copy of the same to each member.

Investment of
surplus funds.Annual state-
ment.

SECTION 6. The directors may organize, at any time after obtaining this charter, by electing a president and treasurer out of their number, and a secretary not out of their number, and may adopt such plan of insurance, and make such by-laws, and alter and rescind the same, as to them may seem best: *Provided*, That they shall not conflict with this charter and the constitution and laws of this commonwealth.

Organization.

Plan of insu-
rance and by-
laws.

SECTION 7. This charter, and the plan of insurance and the by-laws adopted under it, shall not be altered or amended without such alteration or amendment having first been adopted by a two-thirds vote of the members present at a special meeting called for that purpose, of which timely notice shall have been given to all members of the association; such notice to state the time and place of meeting, and also to contain the proposed alterations or amendments in full.

Two-thirds vote
of members re-
quired to alter
or amend.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1117.

An Act

To vacate Sixth street, between Broomall and Norris streets, Chester, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Sixth street, between Broomall street and Norris street, in the South ward of the city of Chester, as laid down upon the plan of said city, prepared by D. Hudson Shedaker, civil engineer, and approved by the court of quarter sessions of Delaware county, be and the same is hereby declared vacated: *Provided,* That nothing herein contained shall be construed to prohibit the council of the city of Chester, at any time after the expiration of fifteen years from the date of the passage of this act, from opening the said street, between the points named, to public use and travel; and no damages or compensation shall accrue or be awarded to the M'Haffee Direct Steel Castings Company, or to its successors or assigns, on account of said opening.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1118.

An Act

To incorporate the Perkiomen and Worcester Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That A. H. Seipt, Daniel Cassel, Justus H. Shetz, A. E. Dambly, John Frieman, Elijah Skeen, Jacob H. Grater, Dr. George K. Nechter, Henry D. Kulp, Cornelius M. Tyson, John Z. Hunsicker, William F. Hallman, Dr. A. R. Tyson, or any six of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the

Name. name, style and title of the Perkiomen and Worcester Turnpike Road Company, with power to construct a turnpike road

from a point at or near the line of Whitpain and Worcester townships, Montgomery county, Pennsylvania, and connect with the Skippack road turnpike at said point, and to extend in or upon the Skippack road to its intersection with the Sunneytown road at Skippackville, Perkiomen township, and from thence upon or near the Swamp road, by the best and most practicable route, to Hunsberger's mill, in Perkiomen township, Montgomery county, Pennsylvania, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-eighth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, except as to the artificial width of said road, hereby authorizing said company, at their discretion, to make said artificial road not less than fifteen nor more than twenty feet in width.

Construction of
turnpike road,
authorized.

Route.
Subject to.

Width.

SECTION 2. That the capital stock of said company shall consist of seven hundred shares, at fifty dollars each: *Provided*, That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete said road, and carry out the true intent and meaning of this act.

Capital.

Increase.

SECTION 3. If said company shall not commence the construction of said road within two years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

Time for com-
mencement and
completion.

SECTION 4. The said turnpike road company shall also have the privilege of dividing said road into sections, of not less than two miles each, and when such a section or sections are completed, shall have the power to erect a toll-gate or toll-gates, and collect toll from all traveling over said finished section or sections, at the rates hereinafter specified.

Tolls and gates

SECTION 5. The president and managers of said turnpike road company shall have power to establish and regulate the rates of toll, but it shall not exceed the rate of one cent and a-half per mile, or at the same rate for a shorter distance, but the company shall not be liable for the fractional part of a cent in making change.

Rates.

SECTION 6. Funerals and funeral processions, and persons passing from one part of his, her or their farm to another part of the same, shall be exempt from toll; but all others traveling on said road shall pay toll for each horse, mule and working cattle or other animals traveling over said road, whether attached to any vehicle or vehicles or otherwise, and without reference to the width of tire on the vehicle.

Persons exempt
from tolls.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1119.

An Act

To incorporate the Emigrant Protection Association.

Preamble.

WHEREAS, The old centres of civilization are overcrowded with people skilled in agriculture, all branches of labor, industry and mechanical craft, whose migration to the United States would be a benefit alike to themselves and this country :

And whereas, An association of individuals, with proper corporate powers, would be a great service in encouraging immigration to this country, by providing the means of transit, passage and travel, disseminating information concerning the various sections of the country best adapted to their abilities, furnishing places for the safe-keeping and disposal of property, assisting emigrants in obtaining employment, and doing such other things as will contribute to the objects in view, thereby promoting the sale, settlement, improvement and development of lands in the states and territories :

And whereas, Philadelphia will in a short time be placed in direct communication with the principal parts of the world, by the establishment of a line of first class steamers, thus creating a necessity for an association for the aid and protection of emigrants ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Thos. A. Scott, John P. Green, R. D. Barclay, their associates, successors and assigns, are hereby created a body corporate and politic, by the name, style and title of the Emigrant Protection Association, and by that name and title shall have perpetual succession, may sue and be sued in all courts of record, may have a common seal and alter the same at pleasure, may make, adopt by-laws for the direction and government of the said association in accordance with the constitution of the United States, and of the state of Pennsylvania, and of this act, and alter, add to and amend the same from time to time, as they may see fit, and generally may do all things incident to a corporation, and necessary to carry out the objects and purposes of the said association.

Name.

Powers and privileges.

Purpose.

SECTION 2. That the said association is hereby authorized to establish in Philadelphia, Pennsylvania, an office or offices, and branch offices and agencies elsewhere in this and in foreign countries, for the purpose of aiding and assisting emigrants and other persons in emigrating to and settling in the United States ; and in furtherance of this object, it shall be lawful for the said corporation to contract for the purchase of any lands, tenements or hereditaments situate within any territory or state of the United States, and to acquire the same by purchase, gift, grant or otherwise, and the same to hold, use, improve, lease, grant, sell, convey or dispose of,

May purchase and hold lands.

and to erect buildings thereon, and to make and enter into and fulfil contracts for the transportation of emigrants to, and their settlement upon such or other lands, and to make necessary provision for such emigrants until they shall become self-supporting, as the said corporation may deem expedient; and further, it shall be lawful for the said corporation to appoint, employ and remove agents, to reside in such portions and parts of the United States and foreign countries, for the promotion and encouragement of emigration, as they may think fit, to form connections with other corporations, individuals, and firms established for like purposes, and to transact business with them; to secure the control or ownership by lease or otherwise, of every means of conveyance for carrying emigrants and others by land and water, and to use the same; to receive and hold on deposit and in trust, and the same to purchase, sell and dispose thereof, estate, real, personal and mixed, and also to receive for safe-keeping, valuable property of every kind: *Provided*, That nothing herein contained shall authorize the said corporation to engage in the business of banking, and to make such contracts in carrying on the business aforesaid, and such charges for services rendered or to be rendered as may be deemed advisable.

May contract for transporting emigrants.

May employ agents, &c.

May hold property in trust.

SECTION 3. That the capital stock of the said association shall consist of one thousand shares of fifty dollars each; and a majority of the stockholders of the said association may, from time to time, at a meeting called for that purpose, increase the capital stock of said association to such amount or amounts as may be deemed proper; and the corporators herein named, or the association, after it be properly organized, may dispose of said shares and issue certificates therefor to the subscribers, assessing such payment or payments upon the same as they may deem necessary; and the said shares of stock, and the holders thereof, shall be exempt from any further or future assessment; and it shall be lawful for the said association to issue stock to the amount of the value of any property to be purchased or acquired, real, personal or mixed, in payment therefor, and the stock so issued shall be declared and taken to be full paid stock, and not liable to any further costs; the said association may commence business when twenty-five thousand dollars of the capital stock has been subscribed, and five per centum thereon paid in cash, or credited by an exchange of property therefor.

Capital.

Increase.

When business may be commenced.

SECTION 4. That the said association shall have authority to issue bonds, without coupons, on the credit of said association, at legal rates of interest, and to dispose of the same at such prices as they may deem proper, and shall have the power and authority to mortgage the property and franchises of the association to secure the principal and the interest of the said bonds.

May issue bonds and dispose of same.

SECTION 5. That the corporators herein named, or their assigns, shall select from their number five or more persons to serve as directors of the association until directors shall be chosen in accordance with the by-laws of the association, who shall have power to select a president, one or more vice presidents, a secretary and treasurer, from their number, and such

Directors.

Officers.

other officers and agents and employees as may be necessary to carry out the objects of the association; a failure to elect officers at the time or times fixed shall not work a forfeiture of the franchises granted, or a dissolution of the association.

Taxation limited to business done within state.

SECTION 6. That the said association shall be taxable only on the proportion of dividends on its capital stock, and upon net earnings or income only in proportion to the amount of business actually done by it within the state of Pennsylvania; and all its earnings or income derived from its business beyond the limits of this commonwealth shall not be liable for taxation.

Liability of stockholders.

SECTION 7. The stockholders and directors of the association shall be individually liable for all debts contracted for labor performed or materials furnished, only to the amount remaining unpaid on the stock held by them respectively.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1120.

An Act

Relating to indexes to be kept in the public offices of Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the prothonotary of the court of common pleas of Bradford county is hereby authorized and required to keep the judgment docket for said court, and the indexes containing the names of plaintiffs and defendants in said court, according to the method and system known as Grave's tabular initial index; and the register, recorder and clerk of the orphans' court of said county are each also hereby authorized and required to keep all indexes required by law in their respective offices, according to said method and system; and said prothonotary is hereby authorized to change and transfer the entries in any judgment docket, and in any index of plaintiffs and defendants in his said office; and said several other officers are also authorized to change and transfer the entries in any of the indexes required by law in their respective offices into new dockets, and indexes made and arranged in accordance with said method and system, whenever the

court of common pleas of said county shall order the same to be done; and authority is hereby given to said court to make such order, from time to time, whenever said court shall be of opinion that such order should be made; and such transferred entries shall be valid to all intents and purposes: *Provided*, That nothing herein contained shall require any of said officers to commence the keeping of said dockets and indexes, according to said method and system, before the first day of June, one thousand eight hundred and seventy-one; but they are however hereby authorized so to commence at any time before said day.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1121.

An Act

To extend the provisions of an act, entitled "A supplement to an act relating to the lien of mechanics and others upon buildings, so far as relates to certain counties," approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, to the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act approved the first day of May, Anno Domini one thousand eight hundred and sixty-one, entitled "A supplement to an act relating to the lien of mechanics and others upon buildings, so far as relates to certain counties," be and the same are hereby extended to the county of Centre: *Provided*, That nothing in this act shall render property liable to liens for repairs, alterations or additions, where the same has been altered by any lessee or tenant, without the written consent of the owner or owners or reputed owner or owners, or his or her duly authorized agent.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1122.

A Supplement

To an act, entitled "An Act to incorporate the Centre and Kishacoquillas Turnpike Road Company," approved the seventh day of March, Anno Domini one thousand eight hundred and twenty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Centre and Kishacoquillas Turnpike Road Company are hereby authorized to vacate and abandon all that portion of their said road, commencing at the north side of the north bridge over Laurel run, in the township of Armagh, in the county of Mifflin, and extending to the southern terminus of said turnpike, in the village of Reedsville, in the said county of Mifflin; and that the president of said turnpike road company shall give notice in writing of such vacation and abandonment, to the supervisors of the townships of Armagh and Brown, in the county of Mifflin, who shall thereupon take charge of said road thus vacated and abandoned, in the same manner as other township roads are cared for; and the said Centre and Kishacoquillas Turnpike Road Company shall thereafter be released from all corporate rights, privileges and responsibilities in relation to so much of their said road thus vacated and abandoned, and shall not be required to keep the same in repair, nor allowed to collect tolls on that portion thereof.

SECTION 2. That the said Centre and Kishacoquillas Turnpike Road Company shall have the right, at the discretion of the managers of said company, or a majority of them, to increase the rate of tolls on the said road, not to exceed thirty-three per centum above that now allowed by law.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

President and managers may vacate portion of road.

Supervisors to take charge of road vacated.

May increase tolls.

No. 1123.

An Act

To incorporate the Duquesne Contract Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That H. H. Houston, R. D. Barclay, S. S. Moon, their associates, successors and assigns, be and they are hereby authorized and empowered to form and be a body corporate, to be known as the Duquesne Contract Company, which shall be and is hereby vested with all the powers, privileges, duties and obligations conferred upon the Pennsylvania Company, by the act of the legislature of Pennsylvania, approved the seventh day of April, Anno Domini one thousand eight hundred and seventy, the supplements thereto.

Corporators.

Name.

Subject to act incorporating Pennsylvania Company and supplement thereto.

SECTION 2. That the stockholders of said company, by and with the consent of the holders of not less than two-thirds of the shares of stock, be and they are hereby authorized to change the name and title of the said company, and designate the location of its general office, which changes shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president, and attested by the seal of the said company.

May change name and designate location of general office.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1124.

An Act

Authorizing the governor to appoint twenty-five additional notaries public for the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to those now provided by law, the governor

be authorized to appoint twenty-five additional notaries public for the city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1125.

An Act

To incorporate the White Haven Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That A. F. Peters, C. L. Keck, John R. Crellin, Charles Kleckner, John Brown and G. L. Halsey, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name, style and title of the White Haven Savings Bank, and by that name shall be capable by law to hold and dispose of property, to sue and be sued, in any court whatever, to make, have and use a common seal, and alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of White Haven, in the county of Luzerne: *Provided*, That a misnomer of the said corporation in any instrument shall not vitiate the same if the intent of the parties can be clearly ascertained.

Name.

Powers and privileges.

Location.

Misnomer.

Purpose.

Business.

SECTION 2. That the purpose of this act is, to incorporate and organize a savings bank and loan and trust company; that the business of the said corporation shall be to receive on deposit, from all persons who shall offer the same, any sum or sums of money not less than one dollar, and to transact any other business transacted by banks in this commonwealth; to take and accept, by grant, assignment, transfer, devise or bequest, and hold any real or personal estate or trusts created in accordance with the laws of this state, and execute such legal trusts in regard to the same, on such terms as may be declared, established or agreed upon in regard thereto; to accept from and execute trusts for married women in respect

to their separate property, whether real or personal, and act as agents for them in the management of such property, and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same: *Provided*, That the law courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors with interest at such rates as may be fixed annually by the directors, in lawful money, national bank notes or notes of banks incorporated in this state at par, in sums not less than one dollar when required during business hours: *Provided*, That deposits by married women and minors may be repaid to them, and such re-payment, made upon their orders, checks or receipts, shall discharge said corporation from any further claims for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of, or payable to, the husband of said married woman, or to the parent or guardian of such minors.

Prohibition.

Payment of deposits.

Deposits by married women and minors.

SECTION 3. That for the security of the depositors of the said corporation, it shall be the duty of the persons named in the first section, and such others as may become associates with them as stockholders in the company incorporated, to raise and form a capital of twenty-five thousand dollars, to be divided into shares of fifty dollars each, and paid in as shall be required by the board of directors; but twenty-five per centum thereof shall be fully paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof as they from time to time shall elect, to any amount not exceeding fifty thousand dollars: *Provided*, That the stockholders at the time of such increase shall each be entitled to a *pro rata* share of such increase, upon the payment of the par value thereof; such right to be forfeited, however, if not availed of within ten days of the time fixed for subscription therefor by public notice.

Capital.

When business may be commenced.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stocks of this commonwealth, or of the United States, or other stocks or bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

Investment of funds.

SECTION 5. That the directors shall prescribe the form of certificate to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed thirteen.

Directors to prescribe form of certificate to depositors, mode of electing directors, &c.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day, within twelve months from the passage of this act, as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing

Meeting of corporations.

Purpose of meeting.

- from among the subscribers thirteen directors to manage the affairs of the said corporation; said directors shall choose from their number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all the rights, powers and privileges which are intended to be hereby given.
- Officers.**
- Real estate.** SECTION 7. That the real estate which it shall be lawful for the said corporation to hold shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase at judicial sale or otherwise, to secure debts due it; and that in all cases of loans upon real estate, the expenses of searches, examination of certificates and recording papers shall be paid by the borrower.
- Expenses of searches, &c., to be paid by borrower.**
- Directors may regulate rate of interest on deposits.** SECTION 8. That the directors, at their first meeting in January of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposit shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest to be allowed for fractions of months.
- Dividends.** SECTION 9. On the first Tuesday in January and July in each year, the directors shall make and declare, out of the net proceeds and profits of the business of said corporation, a dividend of so much thereof as they deem best, and pay the same over to the stockholders or their legal representatives within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposit after the assets of said corporation shall have become depreciated in cash value below the amount of the deposits with said corporation and the debts of the same, and fifty per centum of the capital paid in, and they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors and creditors of said corporation for any deficiencies existing to them, after their remedies against the said corporation shall have become exhausted.
- Shares of stock, transferable.** SECTION 10. The shares of said corporation shall be transferable on its books in such manner as shall be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or by proxy for each and every share of stock by said stockholder then owned; and if any person or persons shall subscribe to the original or the increased stock of said corporation, and shall omit to pay any instalment of the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of said corporation may sell and dispose of the said stock as they may deem most advantageous to said corporation; the books of said corporation shall at all times during
- Votes.**
- Failure to pay instalments.**

business hours be open for the inspection of such as the legislature may appoint for that purpose. Books to be open for inspection.

SECTION 11. The officers and agents of said corporation, upon entering upon the discharge of their duties, shall give bonds in such amount as the directors shall fix for their fidelity and good conduct, and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by the depositors and others; and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of the said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted. Officers to give bonds. Portions of by-laws, &c., to be put up in office.

SECTION 12. This charter shall continue for twenty years; but the legislature reserves the right to alter, revoke or amend the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the stockholders: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law. Limitation of charter. Bonus and taxes

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1126.

An Act

To confirm the title of the Reformed church of Aaronsburg, in the county of Centre, to three lots of ground situated in the town of Aaronsburg, in said county.

WHEREAS, Aaron Levy, by deed dated the twentieth day of May, one thousand seven hundred and ninety-six, conveyed to Adam Harper, Esquire, and Frederick Henry, and to their successors in office, in trust to and for the use of the members with the church commonly called the Calvinist or Reformed church, also as a site for a church or churches or house of religious worship, school and burying ground, for the members in communion with the Calvinist church aforesaid, meaning and intending thereby the German Reformed church, more

recently known as the Reformed church of Aaronsburg, then in the county of Northumberland, (now Centre county,) two certain lots of ground, numbered three hundred and forty-four and three hundred and forty-five, in the general plan of said town, containing about one-half acre strict measure, a full description of which is contained in the said deed recorded at Bellefonte, in and for the county of Centre, in deed book M, page one hundred and ninety, et cetera :

And whereas, Simon Gratz and Hyman Gratz, by deed dated the sixth day of June, one thousand eight hundred and thirty-two, conveyed to John Neidigh and Philip Dinges, elders of the Presbyterian congregation of Aaronsburg, or in the additional language of the deed, to the said John Neidigh and Philip Dinges, trustees, and to their successors in office, to and for the only proper use and behoof of the said congregation, (Presbyterian aforesaid,) meaning and intending thereby the German Reformed church of Aaronsburg, (as in the former recited deed,) in the county of Centre, one certain lot of ground, adjoining lots numbers three hundred and forty-four and three hundred and forty-five, situated in the town and county aforesaid, and numbered in the general plan of said town, number three hundred and forty-three, containing about one-fourth of an acre strict measure, recorded at Bellefonte, in and for the county of Centre, in deed book M, page one hundred and ninety-two, et cetera :

And whereas, The above conveyances were never intended by the grantors for, nor have the said lots ever been held in possession by any persons or congregation under the denomination of Calvinists or Presbyterians properly so called, but all of the aforesaid purchasing parties have been officers and members of the German Reformed church, and the said lots have always been held, used and enjoyed by themselves and their successors as a church site and burying ground for and in the use of the communicant members of the aforesaid German Reformed congregation of Aaronsburg, inasmuch as the misnomer has occurred through a misapprehension of the proper style and title of the German Reformed church in the drawing up of the indentures ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the aforesaid deed, made the twentieth day of May, Anno Domini one thousand seven hundred and ninety-six, by the said Aaron Levy, intended to and for the use of the said German Reformed church of Aaronsburg, in the present county of Centre, for the two lots numbers three hundred and forty-four and three hundred and forty-five, et cetera, and also the aforesaid deed, made the sixth day of June, Anno Domini one thousand eight hundred and thirty-two, by the said Simon Gratz and Hyman Gratz, intended to and for the use of the said German Reformed church of Aaronsburg, in the county of Centre, for the lot numbered three hundred and forty-three, et cetera, shall be held and taken to be good and valid, and of the same force and effect as if the style of the aforesaid church had been correctly stated and set forth in

the two deeds afore-mentioned, and the title to the three mentioned lots of ground be vested and confirmed absolutely in the said (now called) Reformed church or congregation of Aaronsburg, and to the successors and assigns thereof forever.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1127.

An Act

To extend the provisions of an act, entitled "An Act to empower the court of quarter sessions of the peace of the county of Perry to appoint auditors to audit and settle the bounty accounts in the townships of Juniata and Tuscarora, in the said county," to the township of Greenwood, in the county of Perry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act to empower the court of quarter sessions of the peace of the county of Perry to appoint auditors to audit and settle the bounty accounts in the townships of Juniata and Tuscarora, in the said county," be and is hereby extended to the township of Greenwood, in said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1123.

A Further Supplement

To an act incorporating the Reform hospital of Pennsylvania, approved April twelfth, one thousand eight hundred and sixty-six, authorizing the said corporation to issue stock, borrow money, and elect directors with defined powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporation
may issue certi-
ficates of stock
not exceeding
\$500,000

That the said corporation, existing now under the name of the Hospital for Nervous Diseases, shall have power to issue certificates of stock, from time to time, to an amount not exceeding five hundred thousand dollars, subject to such rules, regulations and forms as the by-laws of the said corporation may prescribe, which stock may be sold at the fixed par value of the shares, or at such price as may be determined upon and declared fully paid; and the said corporation may create mortgages on any part or the whole of their property, real, personal and mixed, with or without coupon bonds, and may from time to time borrow money upon or sell the same at their discretion, and the debt so created shall not bear a higher rate of interest than seven and three-tenths per centum per annum.

May mortgage
property.

Directors.

SECTION 2. That the stockholders of the said corporation, representing a majority of the stock, shall elect a board of directors of not less than five persons, who shall exercise all the duties enjoined by the by-laws and the charter; which board shall choose from their number, a president, secretary and treasurer, and such other officers and agents, including physicians and surgeons, as may be required in carrying on the business of the hospital, which shall be the treatment of all nervous diseases and deformities, as well as those provided for therein, and may exercise all the rights and privileges granted in this supplementary act, anything in the original charter to the contrary being hereby repealed.

Officers.

Directors, with
physicians, &c.,
created board of
guardians of
blind.
Powers.

SECTION 3. That the said board of directors, with the physicians and surgeons of the hospital, are hereby created a board of guardians of the blind, and authorized to act as such, with power to perform all duties appertaining to such a board, and may with a view to protecting the friendless blind of both sexes, who have been or may be educated under their supervision, or otherwise, from being doomed to hopeless dependence, a burden to the public and to themselves, thereby rendering fruitless the entire cost and labor of their education, and saving them from a condition of helplessness that would cause a relapse into ignorance, or a fall perhaps into vice and utter destitution, employ such teachers and assistants as may be deemed necessary for the successful management of the Industrial Home for the Blind, the inmates of which

shall be paid wages for their labor, and charged merely the cost of their board, and when unable to work, they shall be supported by the hospital, which is hereby granted, for that purpose, the exclusive right to keep a collection of specimens of physiological and pathological anatomy and natural history, for public exhibition and instruction in Philadelphia, as provided in section first of the supplement approved April fourth, one thousand eight hundred and sixty-eight; and further, the said corporation, through and by the said board of directors, may at their option and discretion, if it be essential, add to and make a part of their present title, the words, "and board of guardians of the blind."

Exclusive right to keep collection of specimens of physiological anatomy, &c.

SECTION 4. That the property of the said hospital shall be exempt from taxation, under the laws of this commonwealth; and that any misnomer of said corporation, or their successors, shall not defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the party, or parties, shall sufficiently appear upon the face of the gift, grant, will or other writing, whereby any estate or interest was intended to pass to or from said corporation.

Exempt from taxation.

Misnomer.

SECTION 5. That this supplementary act is to take effect upon its adoption by the said corporation.

When to take effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1129.

An Act

To erect Snyderstown, in the county of Northumberland, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Snyderstown, including what is now called the Snyderstown school district, in the township of Shamokin, and county of Northumberland, be and the same is hereby constituted and made a borough, under and subject to the general borough laws of this commonwealth, except as herein otherwise provided, with boundaries and limits more particularly described as follows, namely: Beginning at the north-west corner of Shamokin township; thence eastward along the line between

Borough of Snyderstown, incorporated.

Boundaries.

Rush and Shamokin townships, to a corner of lands of Mrs. Malvina Barton; thence on a line between said Mrs. Barton's land and land of J. Deibler, south one hundred and twenty rods to a corner; thence west sixty rods to land of John Klase; thence south one hundred and twenty-three rods to corner of lands of John Martz; thence south three and one-fourth east one hundred and eighty rods to corner; thence north eighty-eight and one-half west through land of John Martz and Mahlon Buehner to old line; thence along the line of John Martz and Daniel Everett to corner of land of Valentine Klase; thence south eighty and three-fourth degrees west sixteen and one-tenth rods to corner west side of old race; thence south along lands of Valentine Klase, eleven and one-fourth degrees east sixteen and two-tenth perches to post by an old hemlock; thence south sixty-six and three-fourth degrees west twenty-three and five-tenth rods to a post in centre of road; thence across lands of Simison to a pine corner of lands of Valentine Klase, pointing into lands of said Simison; thence south seventy-nine and three-fourth degrees west seventy-eight and seven-tenth rods to stones; thence north sixty-eight degrees west seventy-two and seven-tenth rods to a small gum tree; thence along lines of Ferrich and William Farley, westward to the upper Augusta line, and thence northward along said line to place of beginning, to be called the borough of Snyderstown.

Election for borough officers.

SECTION 2. That any five citizens of said borough may at any time, within three months after the passage of this act, by a written or printed notice, put up in at least three of the most public places in said borough, call an election for the choice of borough officers under the general borough laws, and under the provisions of this act, and at such election all such officers shall be chosen by the citizens, and shall hold their offices until their successors shall be duly chosen and qualified: *Provided*, That at least ten days' notice of said first election shall be given as aforesaid.

Councilmen.
Justice of peace.

SECTION 3. That the number of town councilmen for said borough shall be six; and that J. M. Wolverton, now a justice of the peace, resident within the limits of said borough, shall continue to hold his office and exercise its duties until the expiration of the term for which he was elected.

Annual elections.

SECTION 4. That the annual elections for borough officers shall be held at such time as may be fixed by general laws for the choice of borough and township officers in this commonwealth; and until some other place shall be duly fixed or appointed, all public elections for or within said borough shall be held at the public house of William Farrow therein.

Bloomsburg act applicable to certain offices.

SECTION 5. That whenever two or more persons are to be chosen to the same office in said borough, for the same term of service, they shall be voted for and chosen according to the provisions of the fourth section of the Bloomsburg act of fourth of March, one thousand eight hundred and seventy: *Provided however*, That this section shall not apply to the choice of inspectors of election.

SECTION 6. That the several taxes within the limits of said borough shall be stricken from the duplicate of Shamokin

township, and new duplicates therefor shall be prepared for the same, by the properly constituted authorities therefor, immediately after the first meeting of the council of said borough, and all such taxes shall be collected by collectors, to be appointed by the proper authorities, and shall be applied to the uses of said borough; and the aforesaid chief burgess and town council shall have full power and authority to fill all offices by appointment, and do all necessary things for the proper management of said borough not herein provided for, until the same shall have been fully and fairly organized under the general borough laws of this commonwealth.

New duplicates of taxes for borough.

Powers and authority of chief burgess.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1130.

An Act

Supplementary to an act to incorporate the Monroe Fire Engine Company of Monroe village, in Blockley township, in the county of Philadelphia, approved May first, one thousand eight hundred and fifty-two.

WHEREAS, By the dissolution of the volunteer fire department of Philadelphia the original object of the Monroe Fire Company has ceased, and the members thereof are still desirous to continue the good fellowship hitherto subsisting between them:

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of the said company shall be changed to the Monroe Hall Association, and that all the estate, real, personal and mixed of the said company, shall be vested in the said association.

Change of name

SECTION 2. The said association shall have a capital stock of twelve thousand dollars, divided into six hundred shares of twenty dollars each.

Capital.

SECTION 3. The said association shall have power to lease or sell on ground rent, mortgage or otherwise, any real property belonging to the said association, and to rent any room or rooms it may have, for use as meeting rooms.

May lease or sell property, &c.

SECTION 4. That section fourth, and so much of sections

Repeal.

first and second of the act to which this is a supplement, as may be inconsistent herewith, are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1131.

An Act

To incorporate the Youngsville and State Line Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners. That B. F. Delo, H. P. Kinnear, John C. Mead, John M'Kinney, William H. Shortt, Darius Mead, Carter V. Kinnear, Philip Mead, G. A. Jackson and Alden Marsh, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Youngsville and State Line Railroad Company, with power and authority to construct a railroad, beginning at some convenient point on the state line near the village of Sugar Grove, in Warren county, and thence by the most expedient and practicable route, by Sugar Grove, or convenient thereto, and Youngsville, to the southwestern terminus, at Oil City, in Venango county, or Jamestown, in Mercer county, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered or supplied by this act; and the said Youngsville and State Line Railroad Company shall have the right, subject to the provisions and restrictions of the act aforesaid, to connect their railroad by lateral or branch roads not exceeding ten miles in length, with any railroad constructed, or to be constructed, in either of the counties through which the same may pass.

Title. Construction of railroad authorized.

Subject to.

May connect with other roads

Capital stock. SECTION 2. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each: *Provided,* That the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of

this act; for the purpose of completing and equipping the said railroad, the said company shall have the power of borrowing any amount of money not exceeding one million of dollars, at a rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds and a mortgage of said railroad, together with the corporate rights and franchises granted by this act, and to annex to the said bonds and mortgages the privilege of converting the same into capital stock of the said company at par, at the option of the holders, if they shall signify their election in writing, so as to convert the same one year before their maturity: *Provided*, That said company shall issue no certificate of loan of less denomination than one hundred dollars.

May borrow money and issue bonds.

SECTION 3. That said company shall have power to connect with any railroad belonging to any other company using part of said route, in any and every case where it may be deemed inexpedient for a time to build the whole of the road authorized by this act; and said company shall have as full power and control over the part or parts built by said company, in every respect, as if said company had built the whole of the road authorized by this act.

May connect with roads of companies using part of route.

SECTION 4. That when any section of three miles of said road shall be completed, the said company may use, employ and enjoy the same in the same manner as when the entire length thereof shall be constructed.

May use sections when completed.

SECTION 5. That if the said company shall not commence the construction of said road within five years, and complete it in ten years from the passage of this act, the same shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of said company.

Commencement and completion.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1132.

An Act

To incorporate the Marietta Casting, Hollow-ware and Enameling Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That Henry Mussleman, Abraham Collins, Barr Spangler, David Coble, Henry S. Trout, Isaac S. Grist and George W. Mehaffey, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate in law, by the name, style and title of the Marietta Casting, Hollow-ware and Enameling Company, to be located in the borough of Marietta, in the county of Lancaster, and by the said name they and their successors shall and may have perpetual succession, and shall in law be capable of suing and being sued, pleading and being impleaded in all courts of law or equity within this commonwealth or elsewhere, and also of contracting and being contracted with relative to the business and objects of the corporation, as hereinafter declared; and they and their associates and successors as aforesaid shall have power to lease or purchase, and hold in fee simple, such real estate as may be necessary for the business of said corporation, not exceeding twenty acres of land, except such other lands as may be conveyed to the said corporation as security for the payment of debts.
Title.	
Powers and privileges.	
Business.	SECTION 2. That the business of this corporation shall be the casting of iron-ware and the manufacture of tinned and enameled ware, and implements of both iron and wood, and to dispose of the same, together with everything that may be deemed necessary in the prosecution of their business.
Capital stock.	SECTION 3. The capital stock of said corporation to be twenty-five thousand dollars, divided into shares of one hundred dollars each, with power, by a vote of a majority of shareholders, at any time, to increase the same to one hundred thousand dollars; subscriptions to the capital stock may be called in such instalments and such times that the board of directors may determine.
Directors authorized to borrow money.	SECTION 4. That the directors of the said company are hereby authorized and empowered, should the same be deemed necessary for the prosecution and management of the business of the company, to borrow any sum of money, not exceeding the amount of stock paid in, and to secure the payment of the same by bond or mortgage of the property, rights and franchises of the said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said directors shall provide for the payment of the interest upon any loan made under this section, out of the receipts of the company, before any dividends shall be paid to the stockholders: <i>Provided</i> , That no such bond or mortgage, or other evidence of indebtedness so created, shall be for a less amount than five hundred dollars.
Directors.	SECTION 5. The affairs of the company shall be managed by a board of directors, to consist of not less than nine stockholders, out of which shall be chosen a president and vice president; the election shall be held at such times and places, and in such a manner, as may be prescribed in the by-laws of the corporation; the directors elected at the first election under this act shall, at their first meeting, choose a secretary, after which they shall divide themselves by lot into three classes, of three in each class; the terms of the first class
Election.	
Classification.	

shall expire in one year from the day of their election, the terms of the second class shall expire in two years from the date of their election, and the terms of the third class shall expire three years from the date of their election; after the first election under this act, three directors shall be elected annually: *Provided*, That in case of neglect to hold an election, the directors whose terms have expired shall hold over for the full term that others should have been elected; the directors shall have power to make and procure a common seal, the same to alter and renew at pleasure; they shall have power and authority to fix all salaries, make and enact by-laws for the proper regulation and government of said corporation; said by-laws not to be repugnant to the constitution of the United States or the constitution and laws of this state; to define the duties of the president, treasurer, secretary and such other officers and agents as shall be necessary for the management and carrying on of the operations of said company, and generally to do such other matters, acts and things as by this act and the by-laws they are authorized to do.

Neglect to hold election.

Powers of directors.

SECTION 6. That the stockholders of this corporation shall be individually liable for all debts due mechanics, laborers and workmen employed by said corporation: *Provided*, That the stockholders shall not be held individually liable for such debts unless sued for within six months after such debt shall have contracted.

Individual liability.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The tenth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1133.

An Act

To incorporate the Lykens Water Company, Dauphin county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward G. Savage, William H. Kendall, Samuel M. Fenn, John M. Blum, Daniel Bitterman, Moses R. Young, Anton F. Engelbert, Warren E. Ray and Simmons H. Barrett, be and they are hereby appointed commissioners, and they or a majority of them are hereby authorized to carry

Commissioners.

- into effect the establishment of a water company, to be in or near the town of Lykens, in the county of Dauphin, under the name, style and title of the Lykens Water Company, with a capital of twenty-five thousand dollars, in shares of ten dollars each, and the right to issue coupon or registered bonds to the amount of fifteen thousand dollars, at a rate of interest not to exceed seven per centum per annum, to be paid semi-annually, to be organized, managed and governed as provided by an act to provide for the incorporation of gas and water companies, approved March eleventh, Anno Domini one thousand eight hundred and fifty-seven, and subject to all provisions and restrictions of said act not supplied by this act, together with all the rights and privileges in said act or any supplement thereto.
- SECTION 2.** That the company may convey any springs or streams of water, according to the conditions contained in section eleven of the act incorporating gas and water companies.
- SECTION 3.** That at all elections and meetings of stockholders each stockholder shall be entitled to one vote for each share of stock held by him in said company.
- JAMES H. WEBB,**
Speaker of the House of Representatives.
- WILLIAM A. WALLACE,**
Speaker of the Senate.
- APPROVED—**The nineteenth day of May, Anno Domini one thousand eight hundred and seventy-one.
- JNO. W. GEARY.**

No. 1134.

An Act

Authorizing the settlement of the claim of E. C. Burgoon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer be and they are hereby directed to examine the claim of E. C. Burgoon, against the commonwealth of Pennsylvania, and make report to the next legislature.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1135.

An Act

Relating to the office of justice of the peace in the borough of Pottstown.

WHEREAS, David F. Reinert, of the borough of Pottstown, and county of Montgomery, was elected justice of the peace for the East ward of said borough, at the October election, in one thousand eight hundred and seventy, and has since been commissioned and opened an office in what at that time composed said ward; but since which time, by act of the present general assembly, by the said ward has been divided into two wards, known as East and Middle ward, and the residence of said justice has been thereby cut into one ward, and his office in another; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for said justice to keep his office in the Middle ward of said borough, although he resides in the East ward, for and during the continuance of his official term.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1136.

An Act

To authorize the commissioners of the county of Carbon to increase the county tax to liquidate existing indebtedness.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the county commissioners of the county of Carbon are hereby authorized to assess and levy and collect an additional county tax in each year, not to exceed five mills on every dollar of the adjusted valuation of all taxable property, for county purposes, in said county, for the purpose of liquidat-

ing the present indebtedness contracted in erecting a county prison: *Provided*, That as soon as said indebtedness shall be paid, the assessment and collection of said additional tax shall cease.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1137.

An Act

To authorize the St Clair school district, in Schuylkill county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school district of the borough of St Clair, in the county of Schuylkill, is hereby authorized to borrow money, to an amount not exceeding ten thousand dollars for building purposes, and that the proper board of directors of said district shall issue a bond or bonds, for such loan or loans, in sums of not less than one hundred dollars each, bearing interest at a rate not exceeding seven per centum per annum, and payable at any time within ten years.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1138.

An Act

To authorize the school directors of the borough of West Indiana, Indiana county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of raising money to build a new public school house, the school directors of West Indiana, Indiana county, be and they are hereby authorized and empowered to borrow such amount of money as may be necessary, not exceeding seven thousand dollars, and to issue bonds therefor, in amounts not less than fifty dollars, with or without coupons, at the legal rate of interest, and which bond shall be exempt from all taxation except for state purposes, and payable not more than ten years from date.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1139.

An Act

To enable the children of Eli Roll, late a private in company I, One Hundred and Fifth regiment, Pennsylvania volunteers, to be admitted into the soldiers' orphans' school.

WHEREAS, Eli Roll, late a private in company I, One Hundred and Fifth regiment, Pennsylvania volunteers, at the close of the war left his family in Brookville, Pennsylvania, consisting of a wife and — children, in destitute circumstances:

And whereas, His family have not heard of him for years, and have reason to believe that he is not living:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the children of Eli Roll, late a private in company I,

One Hundred and Fifth regiment, Pennsylvania volunteers, of Brookville, Pennsylvania, shall be admitted into any of the soldiers' orphans' schools of the commonwealth the state superintendent of soldiers' orphans' school may designate, on the same terms as the children of any of the deceased soldiers of the state.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

o. 1140.

A Further Supplement

To an act, entitled "An Act concerning streets and sewers in the city of Pittsburg."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, whenever the councils of the city of Pittsburg may deem the same necessary, they shall be and are hereby authorized to cause to be constructed bridges or culverts over any ravine or stream, or over or under any railroad within the city of Pittsburg and approaches thereto, at the crossing of any street, lane or alley which now is, or shall hereafter be, laid out in said city, the same to be constructed of such materials as said councils shall direct; and the cost and expense thereof shall be assessed upon and collected from the owners of property benefited thereby, in the same manner that the cost and expense of sewers in said city are by law assessed and collected: *Provided,* That this act shall not apply to any culvert that may become necessary in the grading of streets, the cost of which shall not exceed five hundred dollars, in which case the cost shall be included in and assessed and collected as part of the cost of grading.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1141.

An Act

Supplemental to an act to incorporate the trustees of the Synod of the Reformed Presbyterian church of North America, correcting a clerical error.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words "interest of the party or parties," shall be stricken from the third line of the third section of the act to which this is a supplement, and instead thereof the words, "interest of the donor or donors," shall be inserted.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1142.

An Act

To amend an act incorporating the borough of White Haven, Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of White Haven, in Luzerne county, be and is hereby divided into two wards, namely: All south of the centre of Berwick street, commencing at the Lehigh river, and running to the west line of said borough, to be known as the South ward; and all north of said street to be known as the North ward of said borough. Borough divided into two wards.

SECTION 2. That the election in the South ward shall be held at a house, to be designated by the judges of the court of quarter sessions of Luzerne county, and that the officers of election shall be elected by the qualified voters of said borough on the morning of the election: *Provided however,* That the officers who were elected at the last annual election shall serve Place of election in South ward. Election officers

School district
not changed.

in the wards wherein they respectively reside: *And provided also*, That nothing in this act shall be construed to in any way change the school district, or make any change in the present mode of electing members to the town council.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1143.

An Act

Authorizing the burgess and town council of the borough of Pittston, in the county of Luzerne, to increase their borough tax for borough purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the burgess and town council of the borough of Pittston, in the county of Luzerne, be and they are hereby authorized to assess, levy and collect and expend any amount of taxes they may deem necessary for the benefit and improvement of said borough: *Provided*, That the authority herein granted shall not extend over a period of five years from and after the passage of this act, and that said assessment, levy and collection shall not exceed ten mills on the dollar in any one year.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1144.

An Act

To repeal part of section second of the act, entitled "An Act to authorize the school directors of the borough of Bellevue, in the county of Allegheny, to borrow money, and also to levy a tax for the repayment of the same," approved March seventeenth, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of section second of the above-entitled act, approved March seventeenth, one thousand eight hundred and sixty-eight, as authorizes the school directors of the borough of Bellevue, in the county of Allegheny, to levy and collect a *per capita* tax upon each and every male taxable inhabitant of said borough, not exceeding ten dollars, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1145.

An Act

To erect Old Forge township in the city (county) of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that part of Lackawanna township, in the county of Luzerne, lying within the following boundaries, to wit: Beginning at the corner of Lackawanna and Pittston townships on the Lovejoy farm; and thence along the line of Lackawanna and Ransom townships to the southerly line of the Inglebrick farm; thence along said southerly line to a road leading to the main road from Pittston to Scranton; thence along said road to the said main road; thence along the northerly line of the John M. Atherton farm to the Lacka-

Part of Lackawanna township erected into separate township.
Boundaries.

- wanna river; thence down the several courses of said river to the mouth of Mill creek; thence up the said creek to the line of Lackawanna and Pittston townships, and thence along the said line of Lackawanna and Pittston to the place of beginning, be and the same is hereby erected into a separate township, to be called Old Forge, and shall constitute a separate election and school district, and be entitled to have and elect justices of the peace, and all township, election and school officers provided for by law; that the qualified electors of the said township of Old Forge shall hereafter hold their general and township elections at the Smith school house, and that the first election shall be held on the second Tuesday in October next, and at the same time in each and every year thereafter, by the officers elected or appointed for such purposes; returns of said election to be made as now provided by law: *Provided*, That the justices of the peace now commissioned and acting shall continue to hold their offices during the continuance of such commissions respectively, or until a vacancy occurs by resignation or otherwise: *And provided further*, That the township of Old Forge shall remain in and be a part of the poor district now composed of the townships of Jenkins, Pittston, Lackawanna, and Pittston borough.
- Name. Separate election and school district.
- Elections.
- Justices.
- Poor district.
- Election officers. SECTION 2. That the following persons, namely: H. H. Winter, as judge, Boyd Atherton and Sylvester Besecker, as inspectors, shall be the officers to hold the township and general elections in the said township of Old Forge, until other officers be duly elected in said township.
- Poor directors. SECTION 3. That John Stewart, the present poor director, shall remain in office during the term for which he was elected or appointed.
- School directors. SECTION 4. That Lyman Drake and John Stewart shall serve as school directors of said Old Forge township, for the term of three years, and Charles Aten and John D. Miller for the term of two years, and Ira Atherton and Stephen H. Miller for the term of one year.
- Supervisors. SECTION 5. That Thomas Drake and Boyd Atherton shall serve as supervisors of said Old Forge township, until their successors are duly elected.
- Constable. SECTION 6. That Michael Hoover is hereby constituted and appointed constable of said Old Forge township, until his successor is duly elected or appointed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1146.

A Further Supplement

To an act relating to the lien of mechanics and others upon buildings, approved the sixteenth, Anno Domini one thousand eight hundred and thirty-six, so far as the same relates to the counties of Lehigh and Northampton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several provisions of an act, entitled "An Act relating to the lien of mechanics and others upon buildings," approved June sixteenth, one thousand eight hundred and thirty-six, and the several supplements thereto, are hereby extended to all buildings, engines, pumps, machinery, fixtures and other improvements erected or put up by tenants of leased estates, on lands of others, in the counties of Lehigh and Northampton, and to all mechanics, machinists and material-men doing work or furnishing the articles or materials therefor: *Provided,* That the lien hereby created shall extend only to the interest of the tenant or tenants, lessee or lessees therein, and to the buildings, engines, pumps, machinery, fixtures and other improvements erected, repaired or put by the mechanics, machinists, persons or material-men entering liens thereon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1147.

An Act

To authorize freight railroads within the limits of the city of Philadelphia to salt their turn-outs and switches, and to remit certain penalties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for all freight railroads,

operating within the limits of the city of Philadelphia, to place salt upon their turn-outs and switches within the limits of said city, any law or ordinance to the contrary notwithstanding; and further, that any fine or penalty hitherto imposed shall be and the same is hereby remitted and discharged, and any suit or claim brought for the recovery of the same is hereby directed to be discontinued and discharged; this act, however, shall not be construed to authorize the general salting of the track of any such railroads as aforesaid.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-sixth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1148.

An Act

To allow the Penn Treaty Association of the city of Philadelphia to change the name of said association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Penn Treaty Association be and they are hereby authorized to change their name to that of the Franklin Association of the city of Philadelphia: *Provided,* The same shall be voted for at a meeting of the stockholders called for that purpose.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1149.

An Act

To incorporate the State Mutual Building and Loan Association of Philadelphia.

WHEREAS, A number of the citizens of the city of Philadelphia have associated themselves together for the purpose of forming a saving fund, loan and building association, and affording to the members thereof the advantage of security and interest: Preamble,

And whereas, Such an association is calculated to be useful in enabling its members to accumulate a fund with which to commence business or purchase for themselves and families a homestead; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry A. Barber, Francis W. Ward, Henry F. Hays, Robert W. Downing, Joseph Clay, Charles H. Krumbhaar, Wm. J. Thomasson, Sr., Allen Shoemaker, Thomas S. Keyser, Burtus Barber, Joseph Chapman, Lewis Krumbhaar, Samuel Allen, Joseph S. Brown, Elwood Reeves, Samuel C. Henszey, David Cramer, Thomas J. Close, Newlin Scholfield, James Stewart, Jacob Engelman, Joseph S. George, James Deveraux, and all and every other person or persons hereafter becoming members of the State Mutual Saving Fund, Loan and Building Association of Philadelphia, in the manner hereafter mentioned, shall be and are hereby created and made a body politic, by the name and style of the State Mutual Saving Fund, Loan and Building Association of Philadelphia, and by that name shall have succession, and be capable by law to hold and dispose of property, to sue and to be sued, plead and be impleaded, answer and defend, and to be answered and defended in courts of law and equity, or in any other place whatever, and to make and receive all deeds, transfers, contracts, covenants, conveyances and grants whatsoever, and to make, have and use a common seal, and the same to change and renew at pleasure, and generally to do every other act or thing necessary to carry into effect the provisions of this act and promote the object and design of said corporation. Corporators.
Name.
Powers and privileges.

SECTION 2. The stock of this corporation shall consist of not more than twenty-five hundred shares, and each member thereof shall, on each and every share held by him, pay the sum of one dollar in par funds, on such day in each and every month as the by-laws of this association shall require, to such person as shall be authorized by the said by-laws to receive the same, until the value of the whole fund shall be sufficient to divide to each share of stock the sum of two hundred dollars; this corporation shall also be authorized to issue not exceeding twenty-five hundred shares of stock, the par value of each share Stock.

to be fifty dollars, payable in instalments, and to divide the profits, as they may accrue, among the members.

Officers.

SECTION 3. The officers of this corporation shall consist of a president, vice president, secretary and treasurer, and a board of not less than five directors, exclusive of the president, vice president, secretary and treasurer, who shall be members of the board, *ex officio*, all of whom shall be elected annually by the stockholders, at such times as the constitution and by-laws shall designate.

Investment of funds.

SECTION 4. The funds of the corporation may be used in the purchase of ground rents or mortgages, or loaned by the board of directors, secured by bond, warrant of attorney and mortgage on real estate, on the capital stock of the corporation, and such other collateral securities as said directors may deem ample and sufficient.

Loans.

SECTION 5. Each shareholder, for each and every share of stock held in this corporation, shall be entitled to receive a loan of not more than two hundred dollars; such loan to be disposed of to the highest and best bidder, for priority of right or otherwise, as the by-laws may provide.

Assignment of stock as security for loans.

SECTION 6. Whenever a shareholder shall be entitled to a loan, such shareholder, in addition to the security aforesaid, shall assign to the association at least one share of stock of the same for every sum of two hundred dollars borrowed by him, which stock, so assigned, shall be held as collateral security for the re-payment of such loan.

By-laws.

SECTION 7. The shareholders shall have power to adopt such by-laws as may be necessary to carry out the objects of this corporation: *Provided*, They are not inconsistent with the constitution and laws of this state and of the United States.

Right of repeal, reserved.

SECTION 8. The legislature reserves the right to alter, revoke or amend the charter of the said association whenever in their opinion it may be injurious to the citizens of this commonwealth, in such manner, however, that no injustice be done thereby.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1150.

An Act

To incorporate the Washington Association of Frankford, Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the purpose and object of the Washington Association be and the same is hereby changed from a firemen's association, to that of an association for literary purposes, and as such the members thereof shall have the powers and privileges as hereinafter provided; and that all and every the persons who shall at the time of the passing of this act be members of the association called the Washington Association, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Washington Association, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattles of what nature, kind and quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of: *Provided*, That the clear yearly value or income of the necessary houses, lands and tenements, rents, annuities or other hereditaments and real estate of the said corporation, and the interest of money by it lent, shall not exceed the sum of five thousand (\$5,000) dollars, and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put into execution such by-laws, ordinances and regulations, as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, and the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering of the affairs thereof.

SECTION 2. That the said corporation shall be authorized to borrow a sum of money, not exceeding ten thousand dollars, and issue certificates of ten dollars each therefor.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

Object of association, changed

Incorporated. Name.

Corporate powers.

Annual income limited to \$5,000.

Seal.

By-laws.

May borrow money.

No. 1151.

An Act

To incorporate the Reliance Trust and Safe Deposit Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That James L. Fisher, William Amer, John B. Morris, Morris H. Gorham, Philip Wagner, Alfred M. Herkness, John Noblit, George F. Keyser, Henry C. Harrison, David Fleming, George H. Haines, and all other persons who shall hereafter become stockholders in the company incorporated, shall be a body corporate, by the name of the Reliance Trust and Safe Deposit Company, and by that name shall have perpetual succession, and may sue and be sued in any court whatsoever.

Name.

Purpose.

SECTION 2. That the purpose of this act is to organize an incorporated company, and to authorize them as such to receive money on deposit, and hold on deposit, in trust, estate, real and personal, including the notes, bonds, obligations and accounts of states and individuals, and of companies and of corporations, and the same to purchase, collect and adjust and settle, and also to sell and dispose thereof, in any market in the United States or elsewhere, without proceeding in law or equity, and for such price and on such terms as may be agreed on between them and the parties contracting with them.

Corporate powers.

Capital stock.

SECTION 3. The capital stock of said company shall consist of two thousand shares of stock, of the value of fifty dollars each, being one hundred thousand dollars; and the corporators, or a majority of them, named in the first section of this act, shall have power to open books for subscriptions at such times and places as they may deem expedient, and when not less than one thousand shares shall have been subscribed, and fifty per centum shall have been paid in, (active business shall not be commenced, however, until at least fifty thousand dollars have been paid on the capital stock,) the shareholders may elect seven or more, not exceeding fifteen, directors, to serve until the next annual election, or until their successors shall be duly elected and qualified; and the directors so elected of said company, when it shall have been organized, may and they are hereby authorized and empowered to have and to exercise, in the name and behalf of the company, all the rights and privileges which are intended to be hereby given, subject only to such liabilities as other shareholders are subject to, which liabilities are no more than for the payment to the company of the sums due or to become due on the shares held by them; and should the capital stock at any time be increased, the stockholders at the time of such increase shall be entitled to a pro rata share of such increase, upon the payment of the par value of the same.

Subscriptions.

Commencement of business.

Election of directors.

Powers and liabilities of directors.

Right of stockholders in case of increase of capital stock.

Place of business.

SECTION 4. The principal office of the said company shall be in the city of Philadelphia; the directors shall be elected

annually by the stockholders, on the second Tuesday of February, and they shall elect from their number, at the first meeting of the board after their election, a president and a vice president, and shall have power to elect a treasurer and secretary, and such other officers, clerks and agents as the business of the company may require; all elections for directors shall be by ballot, and every stockholder shall be entitled to one vote for each share of stock held by them; but no person shall be eligible as director, who is not a stockholder to the amount of twenty shares; at the annual or special meetings, a quorum shall consist of stockholders owning at least one-third of the capital stock.

Officers.

Elections.

Votes.

Eligibility to office of director.

Quorum.

SECTION 5. Ten days' notice shall be given by publication in two papers published in the city of Philadelphia, of the time and place of the annual election, which election shall be conducted by three stockholders, one of whom shall act as judge and the other two as inspectors.

Notice of elections.

SECTION 6. The board of directors shall make all by-laws necessary for conducting the business of the company; which by-laws shall at all times be posted up in the place or places of business of said company, and accessible to all persons transacting business with them; the directors shall have power to require payment of the amount remaining unpaid on the stock of the company, at such times and in such proportions as they shall think proper, and under the penalty, in case of non-payment as required, of forfeiture to the company of such stock, and all previous payments thereon; the said assessments to be made as the by-laws of the company shall direct.

By-laws.

Forfeiture of stock for non-payment.

SECTION 7. The said company shall pay to the state treasurer, for the use of the state, a bonus of one-half of one per cent. on the sum required to be paid in previous to the organization, in four equal annual instalments, the first payment to be made in one year after the payments of the capital stock shall be made, and also a like bonus on all subsequent payments on account of the capital stock of said company, or any increase thereof, payable in like manner, and in addition to such bonus, shall pay a like tax upon dividends as is or may be prescribed by law.

Bonus and tax.

SECTION 8. Each stockholder shall be individually liable to the depositors and creditors of said bank in double the amount of stock held by him.

Individual liability.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1152.

A Supplement

To an act to incorporate the Lehigh and Eastern Railway Company, approved the tenth day of March, Anno Domini one thousand eight hundred and sixty-eight, fixing the time for the annual election of president and directors of said company on any day within three months from the date of the passage of this supplement.

WHEREAS, A supplement was approved on the seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one, extending the time for the building of the Lehigh and Eastern Railway Company, and containing a section fixing the time for the annual election of president and directors of said company the present year on Thursday the fourth day of May, Anno Domini one thousand eight hundred and seventy-one:

And whereas, Notification of the passage of said supplement was not received in time to give due notice of said election; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the time for the annual election of president and directors of said company the present year shall be on any day within three months from the date of the passage of this act: *Provided*, That at least ten days' previous notice of the time and place of holding said election shall be given by a majority of the stockholders named in the letters patent, who may name the place and time where said election may be held in said notice; and that Benjamin Hendericks, Dr. Hugh M'Reynolds and Matthew W. Kase shall be the tellers at the said election.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1153.

An Act

To repeal an act consolidating the late townships of Byberry and Moreland, now the Third division of the Twenty-third ward of the city of Philadelphia, into one district for the support of the poor of said division.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act consolidating the late townships of Byberry and Moreland, in the Third division of the Twenty-third ward of the city of Philadelphia, into one district for the support of the poor of said division, approved the sixteenth day of March, one thousand eight hundred and seventy, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1154.

A Further Supplement

To an act incorporating the directors of the poor and of the house of employment for the townships of Oxford and Lower Dublin, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the taxes, rate or assessment, which the directors of the poor and house of employment for the townships of Oxford and Lower Dublin, in the county of Philadelphia, now are or hereafter may be authorized by law to make and lay upon and against real estate, within said townships, remaining unpaid on the first day of January in each year, shall continue a lien upon the real estate upon which they are levied, in like manner as if registered in the manner prescribed by law for unpaid taxes in the city of Philadelphia; and liens for such

Unpaid taxes to
be lien on real
estate.

Liens may be entered in common pleas.

When additional charge to be made.

Directors to appoint collector of delinquent taxes.

Powers, &c., of collector.

Repeal.

unpaid taxes may be entered in the court of common pleas or district court for the city and county of Philadelphia; in case legal proceedings are commenced for their recovery, there shall be an additional charge of five per centum upon all sums so due, besides the costs and commissions now imposed by law upon unpaid taxes in the city of Philadelphia.

SECTION 2. The above named directors shall appoint a person to be denominated the collector of all outstanding or delinquent taxes due the said directors, who shall hold office during the pleasure of the said directors, and shall give bond in such sum, with good and sufficient securities, as shall be prescribed and approved by said directors; such collector shall, for the purpose of collecting said taxes, rate or assessments, in said townships, have and exercise all the power and rights given the collector of outstanding or delinquent taxes due the city of Philadelphia, by act of assembly, entitled "A further supplement to an act to incorporate the city of Philadelphia, relative to the collection of taxes," approved the twenty-fourth day of March, Anno Domini one thousand eight hundred and seventy.

SECTION 3. All laws or parts of laws inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1155.

An Act

Directing the city of Philadelphia to take the franchises of the president, managers and company of the Germantown and Perkiomen turnpike road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Philadelphia is hereby authorized and directed to take all the rights, powers, property and franchises of the president, managers and company of the Germantown and Perkiomen turnpike road, and to throw said turnpike road open for public travel, free of toll; and upon payment of the assessed valuation of said road, all of said rights, powers, property and franchises of said company, except that of

taking toll, shall be and become vested in said city of Philadelphia, the assessment to be made by the commissioners appointed by the mayor of the city of Philadelphia, the judges of the supreme court, and the managers of the Perkiomen Turnpike Company to perform that duty.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1156.

A Further Supplement

To an act, entitled "An Act to incorporate the Philadelphia and Delaware River Railroad Company," approved the fourth day of April, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Frankford and Southwark Philadelphia City Passenger Railroad Company, (formerly known by the corporate name of the Philadelphia and Delaware River Railroad Company,) be and they are hereby authorized from time to time to extend their railroad on Fifth and Sixth streets, northward on and along said streets within the limits of the city of Philadelphia; and for the purpose of connecting the road herein authorized to be made, with other parts of the railroad of the said company, the said corporation may lay railway tracks on any street of the said city north of York street, and not east of Jasper street: *Provided,* That they shall not lay rail on any street west of Sixth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1157.

An Act

Supplementary to the several acts in relation to the borough of Chambersburg, authorizing said borough to borrow money to lift its outstanding indebtedness, and regulating the election of borough officers therein.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Council may borrow money not exceeding \$20,000, and issue bonds.

That the town council of the borough of Chambersburg, in the county of Franklin, Pennsylvania, are hereby authorized and empowered to borrow money, not exceeding twenty thousand dollars, and in payment thereof may issue the bonds of the said borough, payable to bearer, in not not less than five nor more than fifteen years, redeemable after five years, at the option of the said town council, in sums of not less than one hundred dollars; the said bonds to bear interest payable annually, not exceeding eight per centum per annum.

May issue bonds for outstanding indebtedness.

SECTION 2. That the said council of the borough of Chambersburg are hereby authorized and empowered to issue bonds in form and amount, with interest not exceeding the amount as aforesaid, for said loan, to be applied to lifting the outstanding indebtedness of said borough, and for no other purpose: *Provided,* That such bonds shall only be taxable for state purposes.

Number of councilmen to be chosen annually.

SECTION 3. That the number of town councilmen to be chosen annually in said borough of Chambersburg shall be six; and that the election of all officers (except inspectors of election) in said borough shall be according to the provisions of the fourth section of the Bloomsburg act of fourth of March, Anno Domini one thousand eight hundred and seventy.

How borough officers to be elected.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1158.

An Act

To incorporate the Carlisle and Newville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Hon. F. Watts, Abner Bentz, Henry Saxton, Henry Bitner, Jacob Rhoads, Dr. J. J. Zitzer, Wm. A. Kerr, George Heikes, David Kerr, Samuel Diller, Junior, J. W. Fair, John Greider, Philip Zeigler, David Doner, W. A. Lehman, Joseph M'Keehan, Levi Murdorf, Wm. L. Elliott, Samuel Abrams, Samuel Myers, D. S. Dunlap, Benj. Seitz, P. A. Ahl, Jacob Seitz, R. C. Woodward, Jacob Beetem, Johnstor Morse, Dr. D. Ahl, Wm. M. Glen, Atcheson Laughlin, R. M'cachren, J. S. Hays, John Laughlin, J. M'Candlish, S. M. Glauser, Thomas Stough, Edwin James, Robert M. Graham, Samuel Rhoads, Stephen M. Skinner, Daniel Low, Jonathan Snyder and Wm. Kast, or any five of them, be and they are hereby appointed commissioners to open books, and receive subscriptions and organize a company, by the name and style and title of the Carlisle and Newville Turnpike Road Company, with all the power to construct a turnpike road from Carlisle to Newville, in the county of Cumberland, subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini eighteen hundred and forty-nine, and the supplements thereto.

Commissioners.

Name.

Subject to provisions of general laws.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares, of fifty dollars each: *Provided*, That the said company may have the privilege from time to time, by a majority of the stockholders voting at a meeting called for that purpose, to increase the capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act: *Provided further*, That said company shall have power to borrow money at any rate of interest, not exceeding eight per centum per annum, and issue bonds therefor, for the purpose of completing the road and franchises; said bonds in no case to be of less amount than fifty dollars, with semi-annual coupons attached, redeemable ten years from date.

Capital.

Increase.

May borrow money and issue bonds.

SECTION 3. That it shall be lawful for said company to make use of any county or township bridge on the line of the route of said road, or of any public road or part thereof, or any street in the line thereof.

May use other roads and bridges.

SECTION 4. That said company may commence their road at any intermediate point, and whenever said company have finished two continuous miles or more of said road, they shall have power to erect gates wherever they shall see proper, and collect tolls thereon: *Provided*, That it shall be lawful

May collect tolls when two continuous miles are finished.

Rates for teams laden with iron ore.

for said company to charge and collect from all teams passing over said road, laden with iron ore, two cents per mile for each and every ton or fractional part of a ton contained in each load, and the said company shall not be liable for any damages sustained by teams laden with more than four tons, either in consequence of the giving away of any culvert, bridge or embankment of said road.

Fine for fraudulent statements concerning weight of load.

SECTION 5. That if any carter or teamster, or other person hauling iron ore over said road, shall make a false or fraudulent return of the weight of his load or loads, with intent to defraud the company of its lawful toll, such person or persons shall be liable to a fine of five dollars for every such offence; and that for any violation of this act, the owner or owners, as well as the driver or drivers of any team, cart, wagon or other vehicle, shall be liable and may be sued jointly or severally for the penalty or penalties imposed by this act, may be recovered by the said Carlisle and Newville Turnpike Company before any alderman or justice of the peace in the county in which the offence is committed, with cost of suit.

May appoint toll-gatherers.

SECTION 6. That said company shall appoint such and so many toll-gatherers as they shall think proper, to collect and receive of and from all and any person using said road, the tolls and rates as are provided by the act regulating turnpike and plank road companies, approved twenty-sixth January, eighteen hundred and forty-nine, and its supplements thereto belonging, except that no tolls shall be demanded from funeral processions, and persons passing and re-passing from one part of his, her or their farm to any other part of the same.

Rates.

Persons exempt from tolls.

SECTION 7. If any person owning land on the route of said road shall construct five hundred dollars worth of turnpike, shall have the free use of the said road for his or her farm and tenant, besides having from said company certificates of stock for said amount, or if any person shall subscribe five hundred dollars to the stock of said company, he or she shall have the right of traveling on said road without the payment of toll.

Persons constructing or subscribing certain amounts to be exempt.

SECTION 8. That if said company shall not commence the construction of said road within ten years, and finish the same within five years, then this act shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of said company.

Time for commencement of road.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1159.

An Act

Supplemental to an act, entitled "An Act to protect ship-owners and regulate the licensing of stevedores in Philadelphia," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all persons desiring to act in the capacity of master stevedores, or desiring to employ men for the purpose of loading or unloading vessels at the port of Philadelphia, shall, prior to the granting of license, the amount of which annual license is hereby reduced to fifty dollars, and the security required is hereby reduced to ten thousand dollars, and shall be entered and given by the act of assembly to which this is a supplement, entitled "An Act to protect ship-owners and regulate the licensing of stevedores in Philadelphia," approved the sixth day of April, Anno Domini one thousand eight hundred and seventy, present themselves before the master warden of said port and undergo an examination as to their fitness to load, stow and trim a vessel: *Provided,* That the auditor general shall not grant a license to any person or persons to act in said capacity, unless he or they shall present him the certificate of the said master warden as to his or their fitness.

Master stevedores to be examined by master warden.

License and security, reduced.

SECTION 2. Any person or persons who shall violate any of the provisions of this act, or the act to which this a supplement, shall be deemed guilty of a misdemeanor, and on conviction thereof be subject to a fine of not less than two hundred nor more than five hundred dollars, one-half of which shall be equally divided between the prosecuting officer and the informer, and the remainder shall be paid into the treasury of the city of Philadelphia, or imprisoned not more than six months, or both, at the discretion of the court: *Provided,* That the provisions of this act shall apply to the loading and unloading of all vessels that have a custom house register of over two hundred tons, except those engaged in carrying coal from the piers of Richmond or coastwise steamers.

Penalty for violation of this and former act.

Proviso.

SECTION 3. All acts or parts of acts in conflict with the provisions of this supplement, be and the same are hereby repealed.

Repeal.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1160.

An Act

To repeal an act to change the venue in certain cases from Allegheny to Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven, entitled "An Act to change the venue in certain cases from Allegheny to Jefferson county," be and the same is hereby repealed: *Provided,* That this act shall not in any manner interfere with the validity of the proceedings had in Jefferson county since the passage of the act to which this is a supplement.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1161.

An Act

In relation to the assessment of damages against the Danville, Hazleton and Wilkesbarre Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of nineteenth of February, one thousand eight hundred and forty-nine, regulating railroad companies, and of the several supplements thereto, concerning the assessment of damages for right of way or land taken and materials appropriated by railroad companies in the construction and maintenance of their roads, shall apply fully and in all respects to the Danville, Hazleton and Wilkesbarre Railroad Company; and that all proceedings whatsoever, by or against said railroad company, in relation to their right of way or appropriation of lands or materials, shall be pursuant

to the said general railroad act, and its several supplements, and not otherwise: *Provided however*, That no proceedings heretofore had in due course of law shall be avoided or affected by this act, but that new appointments of viewers shall be pursuant to this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1162.

An Act

To authorize a certain conveyance to be made to Amos E. Kapp for two certain lots of ground in the borough of Northumberland.

WHEREAS, Michael M. Kapp, late of the borough of Northumberland, in the county of Northumberland, died in the year one thousand eight hundred and fifty-five, leaving a widow and minor children:

And whereas, In the same year his widow, Martha M. Kapp, became, by appointment, the guardian of said minor children:

And whereas, The said Michael M. Kapp died seized in his demesne as of fee and in two lots of ground in the borough of Northumberland, and numbered in the general plan of said borough as lots number three hundred and seventy-nine and three hundred and eighty:

And whereas, The said Martha M. Kapp, guardian as aforesaid, presented a petition to the orphans' court of the county of Northumberland, setting forth that the said children were not possessed of any property adequate to their maintenance, and praying the court to grant her an order to make sale of the said two lots of ground, which petition was granted, and an order issued; that on the twenty-first day of May, Anno Domini one thousand eight hundred and fifty-five, in pursuance of said order, sold the said premises to one William Trymire for the sum of one hundred and fifteen dollars; the sale, upon a return having been made, was confirmed by the court:

And whereas, Before the purchase money was paid or possession taken, the said William Trymire died:

And whereas, Amos E. Kapp paid the purchase money of the said lots to the said guardian, and took the possession of them, and has from that time until the present maintained the

possession, the said guardian and the said Amos E. Kapp believing at the time that the guardian, Martha M. Kapp, could make him a deed for the premises; that the said children have all reached their majority, and she, the guardian, has long since been discharged as guardian of said children:

And whereas, The said Martha M. Kapp presented her petition to the orphans' court in and for the county of Northumberland, setting forth the above facts, and praying the court to authorize and empower her to make a deed to the said Amos E. Kapp for the aforesaid two lots of ground; whereupon the court refused, upon the ground that they had no authority so to do, and although the said Amos E. Kapp has paid the purchase money, he is without a deed for the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Martha M. Kapp is hereby authorized and empowered to make a deed for lots number three hundred and seventy-nine and three hundred and eighty, in the borough of Northumberland, county of Northumberland, to Amos E. Kapp; and thus the same shall remain firm and effectual to the said Amos E. Kapp, his heirs and assigns forever.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1163.

An Act

Authorizing an appeal from assessments in Erie county to the court of common pleas in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any owner of property in the county of Erie, who may feel aggrieved by any assessment of his or her property therein made, for the year eighteen hundred and seventy-one, or any year thereafter, may appeal from the decision of the assessors and commissioners of said county, who shall have fixed the assessed valuation thereof, to the courts of common pleas of said county, and for that purpose may present to the said court, at the next term thereof, after he or she shall have been

notified of the final decision of said county commissioners, a petition, signed by him, or his, or her agent or attorney, setting forth the facts of the case; and thereupon the said court shall proceed, at the earliest convenient time, to be by it appointed, and of which notice shall be given to said commissioners, or a majority of them, in such manner as the court shall direct, to hear the said appeal and the proofs in the case, and shall make such decree, affirming or reducing the assessment complained of, as to the judges of the said court shall seem equitable, just and right, having regard to the assessment and valuation of other property in said county, both real and personal; and the costs of said appeal shall be paid as said court may direct: *Provided*, That the appeal from the assessment of the year eighteen hundred and seventy-one may be made to the first term held, not less than ten days after the passage of this act.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1164.

An Act

To incorporate the Eclipse Lubricating Oil Company of the borough of Aladin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Dr. H. W. C. Tweddle, William N. Howard, Edward Schmidt, and their successors, associates and assigns, be and are hereby created a body corporate, by the name, style and title of the Eclipse Lubricating Oil Company of the borough of Aladin, and by that name shall have perpetual succession, and may purchase, receive and hold all such lands, tenements, hereditaments, goods and chattels as may be necessary for the purpose of said corporation, and the same to sell, mortgage or dispose of at pleasure, and all the rights, powers and privileges incident to a corporation.

Corporators.

Name.
Corporate powers.

SECTION 2. That the officers of said company shall consist of a president, a secretary and a treasurer, and a board of directors of not less than three nor more than seven stockholders, to be elected by the stockholders at a time and place to be fixed by such of the above-named corporators as shall

Officers.

Election of directors.

act, and annually thereafter at a time and place to be fixed by the by-laws of the company.

Powers. SECTION 3. That said company shall have the power to buy and sell crude petroleum and its products, to manufacture the same by super-heated steam in vacuo, under patents of Dr. H. W. C. Tweddle or otherwise, into lubricating oils, paraffine candles, refined petroleum, and to mine coal for the use of their works.

Further powers. SECTION 4. They shall also have the right, for themselves or as agents, upon commission or otherwise, to purchase, sell or otherwise dispose of oil and oil lands, mine or bore for oil, and store, insure, ship or transport petroleum; and may construct and erect tanks, of iron or other suitable material, for the storage of oil, and to lay down, construct and connect iron or other pipes or tubing with the Eclipse Oil Works, in the borough of Aladin, in Armstrong county, for that purpose: *Provided*, Such pipes or tubes shall not exceed one mile in length.

Capital. SECTION 5. That the capital stock of said company shall consist of two thousand shares of one hundred dollars each, with power to lessen or increase the same from time to time, by a vote of the stockholders, to any amount not exceeding ten thousand shares or falling below one thousand shares; that said company may mortgage their property, real, personal and mixed, together with their franchises, to aid them in their business and operations, and issue bonds for that purpose, not exceeding in amount the capital stock paid in: *Provided*, That they shall issue no bond for a less sum than one hundred dollars.

Right of repeal. SECTION 6. The legislature reserves the right to repeal this act after the expiration of twenty years.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1165.

An Act

Authorizing the state treasurer to pay the claim of Mrs. Nancy M'Guire, mother of John A. M'Guire, first lieutenant company I, One Hundred and Forty-eighth Pennsylvania volunteers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be authorized to pay, out of any money in the treasury not otherwise appropriated, to Mrs. Nancy M'Guire, of Philadelphia, mother of John A. M'Guire, first lieutenant company I, One Hundred and Forty-eighth Pennsylvania volunteers, the sum of eighty-six dollars and eighty cents: *Provided*, That is the amount of claim allowed and on file in office of the auditor general; and the enrolment tax on this act be and the same is hereby remitted.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1166.

An Act

Repealing an act appointing commissioners to lay out and open a state road from the borough of Wellsboro' to Marsh creek, by way of I. M. Bodine's, in the county of Tioga, approved April twenty-eighth, one thousand eight hundred and seventy, and the supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act appointing commissioners to lay out and open a state road from the borough of Wellsboro' to Marsh creek, by way of I. M. Bodine's, in the county of Tioga, approved April twenty-eighth, one thousand eight hundred and seventy, and the supplements thereto, as appropriates any portion of the unseated taxes of the townships of Shippen and Delmar to the construction of the same, be and the same is hereby repealed: *Provided*, That the moneys actually expended and services rendered by the commissioners under said act shall be settled according to its provisions, on an account to be stated by the auditors of said county of Tioga.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1167.

An Act

Granting a gratuity and a pension to George Howell, of West Alexandria, Washington county, Pennsylvania, a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, George Howell, of West Alexandria, Washington county, Pennsylvania, was a soldier in the war of one thousand eight hundred and twelve, being a private in captain M'Cune's company, in the Sixteenth regiment, commanded by Colonel Pierce, and said Howell is now in necessitous circumstances, and is unable to make the proof required under general act authorizing auditor general to grant pensions and gratuities, owing to the death of witnesses; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and required to pay said George Howell a pension of eight dollars per month, payable semi-annually, commencing on the first day of January, one thousand eight hundred and seventy-one: *Provided,* That when the general government shall provide by law for the payment of pensions to the soldiers of the war eighteen hundred twelve, then the pension hereby granted shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1168.

An Act

To authorize the town council of the borough of Taylorsville, Indiana county, to levy tax for road purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the town council of the borough of Taylorsville, in the county of Indiana, are hereby authorized and empowered to levy a road tax in said borough, not exceeding two per centum on a dollar of the valuation assessed for county purposes, as now is or may be provided by law in any one year.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate:

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1169.

An Act

Supplementary to an act granting a gratuity and annuity to Michael Swisher, of Armstrong county, Pennsylvania, a soldier of the war of one thousand eight hundred and twelve, construing the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act granting a gratuity and annuity to Michael Swisher, of Armstrong county, Pennsylvania, a soldier of the war of one thousand eight hundred and twelve," approved the ninth day of April, Anno Domini one thousand eight hundred and seventy, shall be so construed as to authorize and direct the state treasurer to pay to Michael Swisher a gratuity of forty dollars, in addition to the annuity in said act provided.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1170.

An Act

Granting a gratuity and annuity to Catharine Snyder, of Washington county, Pennsylvania, the widow of a soldier of the war of one thousand eight hundred and twelve.

WHEREAS, Catharine Snyder, of Washington county, Pennsylvania, is the widow of George Snyder, a private in Captain Groble's company, attached to Colonel Rees Hill's regiment, in the war of one thousand eight hundred and twelve :

And whereas, The said Catharine Snyder is in necessitous circumstances, and is not able, by reason of the death of witness, to make the proof required under the act authorizing auditor general to grant gratuities and annuities ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the state treasurer is hereby authorized and required to pay to Catharine Snyder, widow of George Snyder, late of Washington county, Pennsylvania, a soldier of the war of one thousand eight hundred and twelve, a gratuity of ninety-six dollars, and an annuity of forty dollars per annum, payable semi-annually, commencing the first day of January, Anno Domini one thousand eight hundred and seventy-one: *Provided*, That when the general government shall provide by law for the payment of pensions to the soldiers of the war of one thousand eight hundred and twelve, then the pension hereby granted shall cease.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1171.

A Supplement

To an act approved the second day of April, one thousand eight hundred and sixty-nine, authorizing the governor to incorporate the People's Turnpike or Plauk Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That the said company shall have three years from the passage of the act to which is a supplement, to become fully organized and to commence work of laying out and grading their road.

Time for organization, &c., extended.

SECTION 2. That a majority of the commissioners named in said act shall have power to execute the certificate required to procure letters patent for said company; and all acts heretofore done, by a majority of them in good faith, are hereby declared valid; and all surveys of the road contemplated and to be made by said company, and any work that may have been in good faith done on the same, may be ratified by the board of directors thereof, when duly organized, and a just and equitable compensation may be paid therefor to the person or persons entitled thereto, out of the funds of said company; and all such work as shall have been done and performed on said road in good faith, shall, if approved by said board of directors, be deemed and taken to have been lawfully done, and the contracts therefor may be ratified by said board.

Majority of commissioners may execute certificate for letters patent.

Work done before organization, may be ratified and paid for.

SECTION 3. That when letters patent shall be issued to said company, and a board of directors shall be duly elected, they shall have power, call in and make payable all or part of the several subscriptions heretofore made to the capital stock of said company; and upon ten days' written notice to the subscriber or subscribers of said stock, the sum required to be paid shall become due and payable, whether the sum of money required by law to be paid to the commissioners, when the subscriptions were made, was at that time fully paid or not; and the said company may, after ten days' default in the payment of any sum of money or instalment made payable after the day fixed in said notice for payment thereof, proceed forthwith and collect all moneys so made due and payable, with costs of suit and interest, as is provided against defaulting subscribers to the stock of plank road companies, in the general act regulating such companies.

Payment of subscriptions to stock, relative to.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1172.

An Act

Repealing an act relating to bounties on fox scalps in the counties of Union, Lehigh and Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That an act relating to the counties of Union, Lehigh and Lebanon, approved March the twenty-eighth day, Anno Domini one thousand eight hundred seventy, paying bounty on fox scalps, so far as it relates to Lebanon county, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1173.

An Act

To incorporate the Brown's Run Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

SECTION 2. That the capital stock of said company be one hundred shares, at twenty-five dollars each share: *Provided,* That said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as in their opinion may be necessary to complete the said road, and carry out the true intent and meaning of this act.

Corporators. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Name. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Turnpike or plank road, authorized. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Route. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Branches. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Subject to. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Capital. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

Increase. That H. H. May, O. Hall, John Cobb, A. B. Kelly and T. B. Cobb, of the county of Forest, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name and style of the Brown Run Turnpike and Plank Road Company, and as such shall have power to construct a turnpike or plank road, or part turnpike and part plank road, from such point on or near lot warrant, number three thousand three hundred and twenty-seven, in Farmington township, Clarion county, as may be deemed proper by the company, to such convenient point on the Clarion river, in Barnett township, Forest county, as the company may choose, with the privilege to construct such branch or branches of said road as may be deemed advisable: *Provided,* No such branch shall exceed five miles in length, subject to all the provisions and restrictions of an act, entitled "An Act regulating turnpike and plank road companies," approved twenty-sixth January, one thousand eight hundred and forty-nine, with the several supplements thereto, except so far as they are hereby altered or supplied.

SECTION 3. That it shall be lawful for the said company to cross any public road at any intermediate point, and have the privilege to use and occupy any road or bridge: *Provided*, They are subject to the provisions and restrictions of the act of the twenty-sixth of January, one thousand eight hundred and forty-nine, except so far as they are hereby altered or amended.

May use and occupy roads and bridges.

SECTION 4. That it shall be lawful for said company to enter upon and occupy so much land on the bank of the Clarion river, at or near the termination of said road, not exceeding ten acres, as may be deemed necessary by them, and to improve the same in such manner as may be necessary for the piling and safe-keeping and storing of lumber, timber and other material as may be necessary for the convenient rafting, loading and unloading of the same, and the right to construct such wharves, abutments and break-waters as will provide a safe and convenient harbor for rafting and mooring rafts: *Provided*, That the damages occasioned by the taking of such land shall be secured, ascertained and paid in the same manner as other damages arising under this act.

May occupy land on Clarion river for storing timber.

May construct wharves, &c.

Damages.

SECTION 5. The officers of said company shall consist of a president, three directors and a secretary and treasurer.

Officers.

SECTION 6. That the president and directors of said company shall have power to regulate and establish rates of toll, wharfage and storage: *Provided*, That the tolls shall not exceed double the rate established by the act hereinbefore mentioned, and its supplements, except on lumber and timber, shall not exceed ten cents per thousand feet, board measure, per mile, and two cents per thousand on shingles per mile: *Provided further*, That no view or license shall be necessary to authorize the collection of tolls or the erection of gates on said road: *And provided further*, That said road may be constructed on any grade that is practicable, not exceeding five degrees from a horizontal line.

May regulate tolls, &c.

Limit.

No view or license required.

Grade.

SECTION 7. That it shall not be lawful for any person or persons to drag or convey stone, logs, timber or other thing whatever upon said road, without the same being wholly upon runners or wheels; and any one violating this provision shall be liable to pay three times the usual toll, to be collected as other tolls are collected.

Dragging logs, &c., on road, prohibited.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1174.

An Act

To extend the provisions of an act relating to the better prosecution of disorderly persons in the boroughs of Sharpsburg and Etna to the First precinct, Scott township, county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act for the better prosecution of disorderly persons in the boroughs of Sharpsburg and Etna, in the county of Allegheny," approved the fourth day of March, Anno Domini one thousand eight hundred and seventy, be and the same are hereby extended to the First precinct of Scott township, in the county of Allegheny.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1175.

An Act

To abolish the office of treasurer in the township of Rush, in the county of Schuylkill, and providing that the road taxes of said township shall hereafter be levied and collected by the supervisor or supervisors of said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the expiration of the term of office of the present treasurer of Rush township, in the county of Schuylkill, said office of treasurer shall and is hereby declared to be abolished; and thereafter it shall be the duty of the supervisor or supervisors of said township, in addition to the duties now imposed on him or them by law, to levy and collect the road taxes of said township, and annually settle his or their accounts of his or their receipts and disbursements for and on account of said taxes, with the township

auditors of said township of Rush, as the treasurer of said township is now by law required to do: *Provided*, That before the supervisor or supervisors of said township, hereafter elected, shall enter upon the duties of his or their office, he or they shall be required to enter into a bond, (in addition to the bond now required of them by law,) with one or more sufficient sureties, to be approved of by the court of quarter sessions of the peace or criminal court of said county of Schuylkill, and conditioned as the bonds of township treasurers in said county are now by law prescribed to be conditioned.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1176.

An Act

Authorizing and requiring the auditors of the township of Norwegian, in Schuylkill county, to audit and settle the accounts between Charles Fell, late supervisor of said township, Murty Fahey, Martin Joyce and Michael Cooney, for work done in building culverts in said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors of the township of Norwegian, in the county of Schuylkill, are hereby authorized and required, within thirty days after the passage of this act, to audit the accounts between Charles Fell, late supervisor of the said township, and Murty Fahey, Martin Joyce and Michael Cooney, for work done by them in building four culverts upon the public roads in said township, in the years one thousand eight hundred and sixty-four and one thousand eight hundred and sixty-five, under a contract made with them by Charles Fell; and said settlement shall be according to the terms of said contract.

Auditors required to audit certain accounts.

SECTION 2. The supervisor of said township, and the township clerk of the same, are hereby authorized and required to draw an order upon the township treasurer for whatever sum may be found to be due in favor of the said Murty Fahey, Martin Joyce and Michael Cooney; and the treasurer of the

Order to be drawn on treasurer for amount found due.

said township is hereby authorized and required to pay the same.

Court may enforce compliance by mandamus.

SECTION 3. If the said supervisor or township clerk, or either of them, shall refuse to comply with the provisions of the second section of this act, after demand made on them for such compliance, then the court of common pleas of said county shall have power, by issuing their writ of *mandamus*, to enforce such compliance.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1177.

An Act

Relating to road tax in the Sandy Hill district of the township of Madison, in the county of Perry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not hereafter be lawful for the supervisors of the Sandy Hill district of the township of Madison, in the county of Perry, to levy and collect in any one year a road tax exceeding the rate of six mills on the dollar of the assessed valuation subject to such tax; nor shall any of the tax, so levied and collected, be applied to the opening of any new road until the existing roads shall first be put and kept in good repair: *Provided,* That this act shall not apply to any new road now laid out and confirmed according to law: *And provided further,* That the said supervisors shall not be made liable in any way for not opening a new road or roads, unless it shall be satisfactorily proven, on the trial of the issue joined, that there was an excess of tax sufficient for that purpose after all the existing roads in said Sandy Hill district had been put in good repair.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1178.

A Further Supplement

Chartering the Allen Gas Light Company of the city of Allentown,
Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allen Gas Company shall have power and authority, whenever it may be deemed expedient, to increase its capital stock from one hundred thousand dollars to any amount not exceeding three hundred thousand dollars, and to borrow money to an amount not exceeding one-third of its capital stock, to be secured by mortgage or otherwise, and to pay interest for the same, not exceeding the rate of seven and three-tenths per centum per annum; and that the price charged for gas shall not exceed the average price charged in the borough of Catasauqua and Mauch Chunk; and that any laws or parts laws inconsistent herewith be and are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1179.

An Act

To incorporate the Pennsylvania Wine Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. M. Barr, M. O'Hara, Christian Dellanbaugh, George A. Humbleright and Alex. M'Callum, and their associates, successors and assigns, are hereby created a body corporate, by the name, style and title of the Pennsylvania Wine Manufacturing Company, and by that name shall have perpetual succession, and all the rights, powers and privileges incident to a corporation.

- Officers.** SECTION 2. That the officers of said company shall consist of a president, secretary and treasurer, and of a board of directors of not less than three nor more than seven stockholders, to be elected by the stockholders at a time and place to be fixed by such of the above-named corporators as shall act, and annually thereafter at a time and place to be fixed by the by-laws of the company.
- Election.**
- May buy products for manufacture of wine.** SECTION 3. That the said company shall have power to buy such products as they may deem necessary for the manufacture of wine: *Provided*, That nothing herein contained shall be construed to authorize said company to sell liquors at retail, without a license first had and obtained from the proper county authorities.
- Capital.** SECTION 4. That the capital stock of said company shall consist of one thousand shares of one hundred dollars, with power to lessen or increase the same from time to time, by vote of the stockholders, to any amount not exceeding ten thousand shares one falling below one thousand shares; that subscriptions to the capital stock of said company may be made payable in money, or real or personal estate estimate appropriate to its business, at a valuation to be fixed by a majority of its stockholders; and that said company may mortgage their property, real, personal and mixed, together with their franchises, to aid them in their business and operations, and issue bonds for that purpose, not exceeding the amount of capital stock paid in: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.
- Payment of subscriptions.**
- May mortgage property and issue bonds.**
- Bonus and taxes**

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1180.

An Act

To authorize the borough of Kutztown, in the county of Berks, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the chief burgess and town council of the borough of

Kutztown, in the county of Berks, be and they are hereby authorized and empowered to borrow, in the name and upon the faith and credit and responsibility of the said borough, any sum or sums of money not exceeding in the whole the sum of two thousand dollars, in addition to any sums heretofore authorized to be borrowed, and to issue bonds or certificates of indebtedness in the name of the said borough of Kutztown, under the corporate seal, attested by the chief burgess and treasurer or secretary, to the purchaser or purchasers of the loan, in such sums as the said borough authorities may see proper, and bearing such rate of interest not exceeding six per centum per annum, and redeemable at such times as may be agreed upon, and to levy, assess and collect such taxes from time to time as may be necessary to pay the interest on such loans, and to redeem the principal at such terms upon which the same shall have been taken.

Burgess and council may borrow money not exceeding \$2,000.

And issue bonds

May levy taxes.

SECTION 2. That the said authorities shall also have power from time to time to borrow money, in the name aforesaid, for the purpose of redeeming and paying off any loan or loans contracted by virtue of the preceding section, and shall have all the powers for levying, assessing and collecting taxes for the purpose of redeeming the same, principal and interest, as are authorized to be borrowed and given in the first section of this act, in relation to the original loans.

May borrow money and levy taxes to pay off loans.

SECTION 3. That the said authorities, in case they borrow the money named in the first section of this act, shall have power and are hereby required to appropriate the same for indebtedness to be incurred for and about the erection of an engine house in said borough, and for procuring such property as may be useful and requisite for the extinguishment of fires within said borough.

Money to be applied to the erection of engine house, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1181.

An Act

To confer additional privileges on the Riverside Cemetery Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Property ex-
empt from taxa-
tion.

Lots.

Opening of
streets, prohib-
ited.

Certificate of
ownership of
lots, when re-
corded, to have
effect of deed.

Discharging of
fire-arms, pro-
hibited.

Fast driving or
riding, prohib-
ited.

May receive
gifts and be-
quests.

That all property held by said corporation for cemetery purposes shall be exempt from taxation except for state purposes; and every lot in said cemetery shall be held by the proprietor for the purpose of sepulture alone, transferable only with the consent of the president and directors as they may direct, and shall not in any case be liable to execution or attachment; no street or highway or road of any kind shall ever be opened through any part of the property of said corporation without the consent of the directors.

SECTION 2. That a certificate, under the seal of the corporation of the ownership of any lot, shall if duly recorded in the office of said corporation, in all respects have the same force and effect as any deed or conveyance from said corporation of such lot would have if duly acknowledged and recorded as deeds of conveyance of real estate are by law required to be; and all assignments of such certificates, made in conformity with the by-laws and regulations of the corporation, and recorded as aforesaid, shall have like effect; and exemplifications from the record of a certificate or assignment, duly authenticated by the secretary of the corporation, shall have the same force and effect, and be entitled to the same credit as the original certificate or assignment.

SECTION 3. That any person or persons who shall carry or shoot off any gun or fire-arms of any kind, within the limits of said cemetery grounds, shall be subject to the same pains and penalties as are prescribed by the provisions of an act to protect burial grounds, approved May seventh, Anno Domini eighteen hundred and fifty-five; and any person who shall drive or ride on the avenues or drive-ways of said cemetery at a greater speed than is permitted by the by-laws of the corporation, shall be subject to the same penalty.

SECTION 4. The said corporation shall have authority to receive gifts or bequests for the purpose of ornamenting or improving said cemetery, and to hold such personal property as may be deemed necessary to carry out the object of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1182.

An Act

To incorporate the General Council of the Evangelical Lutheran church
in North America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That C. P. Krauth, C. W. Schaeffer, W. A. Passavant and S. Gross Fry, of Pennsylvania, Peter A. Keller, of New York, E. G. Carlsson, of Illinois, and J. H. Sicker, of Minnesota, and their successors in office, duly elected as hereinafter specified, be and they are hereby constituted and declared a body politic and corporate, in deed and in law, by the name, style and title of Trustees of the General Council of the Evangelical Lutheran church in North America. Corporators.
Name.

SECTION 2. That said corporation shall have perpetual succession, and the right to hold lands, tenements, rents, annuities, franchises and other hereditaments, and also personal property, which may be conveyed, assigned, transferred, devised and bequeathed to them, or to any person or persons in trust for them, and the same shall be vested in said corporation forever, for such use and purposes as said conveyances, assignments, transfers, bequests and devises were respectively made or intended, and said corporation is hereby declared to be seized and possessed of such estates and interest therein, as in and by said conveyances, assignments, transfers, bequests and devises thereof, is or are declared, limited, expressed or intended; and further, said corporation shall have all the rights, franchises and powers which by law pertain to corporations; the right to hold and possess real and personal property, yielding a net annual income not exceeding fifty thousand (\$50,000) dollars, and the same to sell, convey and dispose of at pleasure; but said limitation not to be construed as including the annual or periodical collections and voluntary contributions made in the churches under the care of said general council, or contributions from any other source: *Provided*, That in cases where special instructions for the management and disposal of any of the real or personal property of the corporation shall be given by the general council, in writing, under the hand of their secretary, it shall be the duty of the said corporation to act according to such instructions. Powers and
privileges.

SECTION 3. That no misnomer of said corporation shall defeat or annul any gift, grant, devise or bequest to or from said corporation: *Provided*, That the intent of such gift, grant, devise or bequest shall sufficiently appear that the same was intended to pass to or from said corporation. Misnomer.

SECTION 4. That said corporation shall have power to adopt and use one common seal, and the same to break, alter, amend and renew at pleasure. Seal.

- Further powers. SECTION 5. That said corporation, by the name, style and title aforesaid, shall be able to sue and be sued, to plead and be impleaded in any court of law or equity, or before any alderman or justice of the peace, in all manner of suits, complaints, pleas, matters and demands of whatever nature, kind or form the same may be.
- By-laws. SECTION 6. That said corporation shall have full power to make, pass and establish by-laws for the proper administration of the funds and the due government of said corporation: *Provided*, That said by-laws be not repugnant to the constitution and laws of the United States or the constitution or laws of this commonwealth.
- Corporators to be first board of trustees. SECTION 7. That said corporation shall compose the board of trustees of said corporation until the next regular meeting of the General Council of the Evangelical Lutheran church of North America, when two trustees, in addition, shall be elected by said general council, who, with said corporators, shall constitute thereafter a full board of trustees, who shall be divided into three classes of three members each, in alphabetical order, and whose term of office shall expire as follows, to wit: The term of office for the first class shall expire on the third Monday of November, Anno Domini one thousand eight hundred and seventy-two; the term of office of the second class shall expire on the third Monday of November, Anno Domini one thousand eight hundred and seventy-three, and the term of office of the third class shall expire on the third Monday of November, Anno Domini one thousand eight hundred and seventy-four; further, the said general council shall, at their regular meeting, in the year Anno Domini one thousand eight hundred and seventy-two, and annually thereafter, elect three persons to serve as trustees, to supply the places of those whose term of office shall expire as aforesaid: *Provided however*, That on failure to elect trustees as aforesaid, or in case of death, resignation or other inability, those remaining in office shall have full power to fill such vacancies until the next regular meeting of said general council.
- Classification of trustees. SECTION 8. That five members of this corporation shall constitute a quorum, and be a sufficient number to transact the business of said corporation, to make by-laws, rules and regulations, whose regular meetings shall be held annually, during the sessions of the general council; special and adjourned meetings may also be held: *Provided*, That previous to any special meeting of said corporation, not appointed by adjournment, it shall be the duty of the officer calling a meeting, to cause notice to be sent, by mail, to each member ten days prior to such meeting; and said corporation may, as often as shall be prescribed by the by-laws, elect from said board of trustees a president, vice president, secretary, treasurer or other officer.
- Expiration of terms. SECTION 9. That all questions before said corporation shall be decided by a majority of the trustees present; and said corporation shall keep regular and fair entries of their proceedings and a just account of their receipts and disbursements in a book or books kept for that purpose; and the treasurer shall exhibit to said general council, at each regu-
- Election.
- Vacancies.
- Quorum.
- Meetings.
- Decision of questions before corporation.
- To keep regular minutes and accounts.

lar meeting, an exact statement of the accounts of said corporation.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1183.

An Act

Authorizing the mayor and councils of the city of Franklin to settle the accounts of Josiah Adams with the borough of Franklin.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the mayor and councils of the city of Franklin to settle with Josiah Adams his accounts with the borough of Franklin, relative to the draft of the United States government of eighteen hundred and sixty-four, and to cause to be paid to said Adams any moneys which they may find due from said borough to him.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1184.

An Act

Relating to the extension of the limits of the borough of Milton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the second section of the act of assembly approved the sixth day of April, Anno Domini eighteen hundred and seventy, entitled "An Act relating to the extension of borough limits in Northumberland county," as requires the petition and assent of two-thirds of the freehold lot-owners, et cetera, to authorize the admission of same to any borough, be so altered and amended as to require but the assent of a majority of said freehold lot-owners; and that so much of said section as is hereby altered be and the same is hereby repealed: *Provided however*, That the provisions of this bill shall only apply to the borough of Milton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1185.

A Supplement

To an act, entitled "An Act to authorize the school directors of East Brady borough, in the county of Clarion, to borrow money for building purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the school directors of the borough of East Brady, in the county of Clarion, be and they are hereby empowered to borrow money in such manner and at such rates as may be deemed proper for the purpose of erecting and completing a competent school building, providing the amount does not exceed five thousand dollars, and the rate does not exceed eight per centum per annum, and the same to be free of taxation, except for state purposes; and that all parts of the law to which this is a supplement, which does or may conflict herewith, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1186.

An Act

Extending the provisions of the act of assembly approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to prevent horses, mules, sheep and hogs from running at large in North Heidelberg township, in the county of Berks," to the township of Jefferson, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, entitled "An Act to prevent horses, cattle, mules, sheep and hogs from running at large in North Heidelberg township, in the county of Berks," be and the same is hereby extended to Jefferson township, Berks county: *Provided,* That the provisions of this act shall not be enforced in said township until approved by a majority of the lawful voters of the same, at the election to be held on the eleventh day of October, Anno Domini one thousand eight hundred and seventy-one, for the election of state and county officers; that in said township on said day the election officers shall receive ballots on this subject, for or against its approval.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1187.

An Act

To empower the court of quarter sessions of Huntingdon county to act upon an application for the formation of an independent school district at an adjourned term of April sessions, one thousand eight hundred and seventy-one.

WHEREAS, Commissioners were appointed by the court of quarter sessions of Huntingdon county, at January term,

one thousand eight hundred and seventy-one, to report upon an application for the formation of an independent school district out of parts of Porter and Walker townships, in said county, and said commissioners have reported to April sessions of said county in favor of said district, and it is desirable that the same shall be acted on in such time that, if confirmed, the directors may be able to erect a school building in time to meet their wants for next fall and winter term of school; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of Huntingdon county is hereby empowered to consider and act upon the said application and report at any adjourned term of the court of quarter sessions aforesaid, which shall be held between the regular terms of April and August, one thousand eight hundred and seventy-one, and to confirm or reject the same as fully as it could do at August or any subsequent term of said court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1188.

A Further Supplement

To an act, entitled "An Act to incorporate the Powelton Coal and Iron Company," approved May fifth, one thousand eight hundred and sixty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Powelton Coal and Iron Company, in addition to its present powers and franchises, shall have those conferred on the North American Coal and Iron Company, by the act to incorporate the M'Connell Mineral Company of Pennsylvania, approved February twenty-sixth, eighteen hundred and sixty-seven, and its supplements. That said company shall have power to purchase and hold real estate, leasehold and mineral rights in any county or counties in which the said company is authorized to hold lands, not exceeding in each county double the quantity in addition to that which is

now authorized to be held under its said charter and supplements thereto; that their act of incorporation shall be extended for the further term of twenty years, and that said company shall and may call in and cancel its stock, and issue new certificates therefor, the holder of which shall have such rights or interests only as they would have had if said company, with its present actual capital, had been hereby first incorporated: *Provided*, That the bonus to be paid on the capital stock of said company shall only be paid upon the amount actually sold and disposed of by said company; and that so much of their act of incorporation as is inconsistent with this supplement be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1189.

An Act

Relating to fences in the county of Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the provisions of the laws of the commonwealth of Pennsylvania now in force in the county of Susquehanna, in relation to line or partition fences on improved lands, be and are hereby extended to embrace and include all wood land used as pasture land for horses, cattle, sheep or swine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1190.

An Act

To prevent burial of the dead in the grave-yard of the Presbyterian church, in the town of Milford, and authorizing the removal of the dead now buried in the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Further burials
in Presbyterian
church grave-
yard, forbidden.

Removal of
bodies, author-
ized.

That from and after the passage of this act it shall not be lawful to bury the dead in the grave-yard attached to the Presbyterian church, situate on the corner of Broad and Ann streets, in the town of Milford; and the authorities of said church are hereby authorized to remove the dead now buried in said grave-yard to the Laurel Hill cemetery, or the Milford cemetery, near Milford, or such other place as may be designated by friends or relatives of the deceased.

Notice.

Proviso.

SECTION 2. That before any bodies shall be removed, as provided in the preceding section, the said authorities shall, if possible, give at least thirty days' notice previously to the friends of the deceased by publication in the Milford Herald, or otherwise, of their intention to remove the bodies; and the expenses of such removals and re-interments, made under the direction of the authorities, shall be paid by said congregation: *Provided*, That the expense of any removal, beyond either of the above-named cemeteries, shall be at the expense of the person or persons desiring such removal.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1191.

An Act

To open and remove obstructions on the line of Rittenhouse street, Twenty-second ward, city of Philadelphia.

WHEREAS, The property known as the poor house of the township of Germantown, situated on Rittenhouse street, Twenty-second ward, has been sold:

And whereas, The end of the building projects over the side-walk, to the detriment of the property upon said street :

And whereas, The same should be removed and the owners thereof compensated for the damage ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the superintendents of highways of the Twenty-second ward are hereby directed to have the said building removed so far as it projects upon the line of the street or side-walk, and the said superintendents are hereby authorized to apply to the court of common pleas for a jury of three citizens, to assess the damage that the owner of said building may sustain by the removal thereof; the damage to be assessed and paid as is now provided by law for the Twenty-second ward; and said street between Wayne and Wissahickon street shall be opened its full width as laid down on the plan of the city ; and the department of highways of the Twenty-second ward are hereby directed to have Rittenhouse street, from Germantown avenue to Wissahickon street, paved with rubble pavement, and collect the cost from the owners of property abutting on said street.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1192.

An Act

Authorizing the school directors of the South-Western district of Madison township, in the county of Perry, to appropriate so much of the tax assessed for building purposes to the payment of the debt due for school purposes, for the school years ending June, one thousand eight hundred and seventy and seventy-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be lawful for the board of school directors of the South-Western district of Madison township, in the county of Perry, to appropriate so much of the tax assessed for building purposes to the payment of the debt due for school purposes, for the school years ending June, one thousand eight hundred and seventy and seventy-one: *Provided*, That the

Directors may appropriate building funds to school purposes.

Tax to be assessed to repay building fund.

said board of school directors, at its first annual meeting in June, one thousand eight hundred and seventy-one, shall assess and collect a tax to return the amount as aforesaid appropriated to the fund for building purposes.

May sell real estate and purchase new location.

SECTION 2. That it shall be lawful for the said board of school directors to sell any real estate used for school purposes, when the same shall become unsuitable for such purposes, and purchase more eligible location for the erection of a school house thereon.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1193.

An Act

To incorporate the Chestnut Hill Driving Park Association.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Graham, J. C. Gilbert, J. R. Hicks, Charles H. Roney, John Esray, of the county of Philadelphia, and state of Pennsylvania, and such other persons as are or may become associated with them as stockholders, be and they are hereby erected into a body politic and corporate, in deed and in law, by the name, style and title of the Chestnut Hill Park Association, to be located in the said county of Philadelphia, and having for its object the permanent establishment of a convenient enclosure, park and grounds, for purposes of riding, driving, and the innocent amusement and recreation of the citizens of said county.

Name.

Location.

Object.

Corporate powers.

SECTION 2. That said corporation shall have authority to have and use a common seal, and by its corporate name to sue and be sued, to plead and be impleaded, in any court of this commonwealth or elsewhere, and have perpetual succession; also to hold by purchase, lease, donation, bequest or otherwise, any lands, tenements, goods or chattels which may be legally conveyed, granted, donated, devised or sold to said corporation for its use and enjoyment, and for the purposes above set forth, and the same at pleasure to grant, bargain, sell and convey or lease for the benefit of said corporation.

Capital.

SECTION 3. That the capital stock of said corporation shall consist of three hundred shares, of one hundred dollars each, the

same to be increased from time to time as the directors of said corporation may deem advisable, not exceeding one thousand shares; and the affairs of said corporation shall be managed by a board of seven directors, one of whom shall be president, the manner and time of the election of said board to be fully set forth in the by-laws of said association.

SECTION 4. That said association, at the time of its organization under this act, shall adopt, ordain and establish such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the association, and not being contrary to the laws of this commonwealth; and when the capital stock shall all be subscribed for, and ten dollars a share has been paid in, the stockholders shall proceed to organize the said company.

SECTION 5. That the directors of said association shall have authority to borrow any sum or sums of money, for the objects set forth in this act, and to secure the payment of the same by bond and mortgage, or to issue bonds therefor, with or without coupons, and secure the same by mortgage: *Provided*, The amount borrowed shall not exceed the amount of the capital stock; and that the rate of interest shall not exceed eight per centum per annum.

SECTION 6. The said company shall pay into the treasury a bonus of one-fourth of one per centum, in four equal annual payments, the first to be paid January first, one thousand eight hundred and seventy two. That the said managers may lay down from their property, over and along Springfield, Germantown and Willow Grove avenue, to county line and the Wissahickon, and along Mount Pleasant avenue, from township line to Germantown avenue, a track not exceeding three feet wide, the cars to be propelled by horses.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1194.

A Further Supplement

To an act providing for the appointment of superintendents and the election of supervisors in the Twenty-second ward of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Power to clean streets and levy taxes therefor, transferred to superintendents of highways.

Real estate exempted from payment of tax to receiver.

Superintendents may make requisitions on city treasurer for taxes collected in 1870 and 1871.

Taxes for highways, when due.

Superintendents may collect by distress and file liens.

Power to fill vacancies in office of supervisors, &c.

Salary of supervisors.

Superintendents not to purchase turnpike road.

That all the rights, power and authority now vested by law in the councils of the city of Philadelphia, and in the board of health of said city, to clean the streets of the Twenty-second ward of said city, and to assess and impose a tax therefor, shall be transferred to the superintendents of highways of said ward; and the real estate of said ward shall from and after the expiration of the present year, be exempted from the payment of any tax to the receiver of taxes for street cleaning, in the same manner as is by the act to which this is a supplement provided for exonerating the citizens of said ward from the payment of a highway tax: *Provided*, That the said superintendents are hereby authorized to make requisitions from time to time, upon the treasurer of the city of Philadelphia, for the amount collected from the tax-payers of the Twenty-second ward during the year one thousand eight hundred and seventy, and one thousand eight hundred and seventy-one, for street cleaning; and it shall be the duty of said treasurer to pay over the same as required, to the persons duly authorized to receive it by said superintendents, to be expended in repairing and cleaning the streets and highways of said ward.

SECTION 2. That all taxes assessed for highway purposes, by said superintendents of highways, shall be due and payable on the first day of January in every year; and the said superintendents are hereby authorized to make such rates for prompt payment, and to impose such penalties in addition to said tax, upon all taxes not paid before the first day of July in each year, as they may deem just and proper.

SECTION 3. That the said superintendents shall have power to collect by distress all highway and other taxes imposed by the act to which this is a supplement, or for work done or materials furnished, and to register the same and file liens therefor, in the name of the city of Philadelphia, to the use of said superintendents of highways, against the real estate in said Twenty-second ward, upon which said taxes have been assessed, and for which work has been done or materials furnished, which may remain due and unpaid after the fifteenth day of January in each year succeeding the year of assessment, or for work done and materials furnished; and for this purpose they shall have power and authority to sue out and collect said liens or claims in the same manner as is provided by existing laws for the collection of unpaid or outstanding taxes.

SECTION 4. That the power to fill vacancies occurring in the office of supervisors of said ward shall be vested in the said superintendents of highways; and they shall have power also to suspend said supervisors for incompetency or neglect of duty, and to employ additional supervisors temporarily when deemed necessary; and the salary of the supervisors shall be eight hundred dollars per annum, payable monthly, commencing January first, one thousand eight hundred and seventy-one.

SECTION 5. That nothing in this act, or the act to which this is a supplement, shall be so construed as to authorize or

require the said superintendents of highways to purchase any turnpike road in said ward.

SECTION 6. That on the first Monday of August next, and every three years thereafter, it shall be the duty of the judges of the district court of the city and county of Philadelphia to appoint two suitable persons to act as additional superintendents of highways in the Twenty-second ward of said city, who shall act in conjunction with, and have like powers and be subject to like duties as the three superintendents heretofore appointed by the court of common pleas, under the laws erecting the Twenty-second ward into a separate highway department; and at the expiration of the term of office of the present superintendents, and every three years thereafter, it shall be the duty of the court of common pleas to appoint three suitable persons to serve as superintendents of highways of said Twenty-second ward.

Judges of district court to appoint additional supervisors.

Appointment of superintendents.

SECTION 7. That on the first Tuesday in January next, and annually thereafter, the accounts of the treasurer of the said board shall be audited and settled by the auditors to be appointed by the court of common pleas of the city of Philadelphia.

Auditing of accounts.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1195.

An Act

To regulate the weight of anthracite coal delivered by retail coal dealers in the city of Philadelphia.

WHEREAS, It has become absolutely necessary, for the better protection of the citizens at large, as well as for the honestly disposed dealers, that some measures be taken to prevent fraud and to secure fair and honest competition in the retail coal trade in the city of Philadelphia; therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That on and after the first day of November, one thousand eight hundred and seventy-one, the legal standard ton for anthracite coal shall be two thousand two hundred and forty pounds avoirdupois weight.

Standard ton for anthracite coal.

City divided into three districts.

Boundaries.

SECTION 2. For the purpose of carrying into effect the provisions of this act, the city of Philadelphia shall be divided into three districts; the first district shall comprise all that portion of the said city lying south of the south side of Chestnut street; the second district shall comprise all that portion of said city north of the south side of Chestnut street, extending to the south side of Girard avenue, and also to the south side of the track of the Pennsylvania railroad west to the intersection of Girard avenue therewith; the third district shall comprise all the remaining portion of said city north of the south side of Girard avenue, and also of the south side of the track of the Pennsylvania railroad west of the intersection of Girard avenue therewith.

Appointment of inspectors.

SECTION 3. The governor shall appoint one inspector, and select and common councils of the city and county of Philadelphia are hereby authorized and empowered to elect one inspector, and the mayor of the said city to appoint one inspector, within thirty days from the date of the passage of this act, and every three years thereafter a person of suitable qualifications, who shall be styled an inspector; the said inspectors shall decide by lot among themselves the district which each one of said inspectors is to occupy.

Duties of inspectors.

SECTION 4. It shall be the duty of the inspectors to examine, as soon as practicable, and previous the first day of November, one thousand eight hundred and seventy-one, every cart, wagon or other vehicle used for the delivery of anthracite coal in their respective districts, and to ascertain, by measurement or otherwise, the capacity of said vehicles; and if the cart, wagon or other vehicle will contain two thousand two hundred and forty pounds, or fractional fourths thereof, avoirdupois weight, of hard white ash Schuylkill coal, the said inspector shall put in a conspicuous place on said vehicle his stamp or brand, made for such purpose and denoting the capacity of said vehicle.

Carts, wagons, &c., delivering coal, to be stamped.

SECTION 5. On and after the first day of November, one thousand eight hundred and seventy-one, it shall be unlawful for any cart, wagon or other vehicle to be used in delivering anthracite coal within the city of Philadelphia, unless the said inspector's stamp or brand is placed thereon; and every person found violating this provision shall be subject to the penalty or penalties as hereinafter provided.

Inspectors may order wagons, &c., to be weighed.

SECTION 6. The said inspectors are hereby authorized and empowered, at their discretion, to order any cart, wagon or other vehicle, used by any retail coal dealer in delivering anthracite coal, to be brought to any scales, within four hundred yards of the place where said coal shall have been loaded, or within four hundred yards of the place of arrest by the inspector, that have been regulated by the proper officer within twelve months then preceding, and thereon the said inspector shall take the weight of the vehicle loaded, and after the coal shall have been taken to its destination, or immediately, if the owner or driver shall desire the same, the said inspector shall take the weight of the vehicle unloaded.

If less than standard, dealer to be notified of penalty.

SECTION 7. If the said inspector shall find the weight of coal, contained in the said vehicle, to be less than two thousand two hundred and forty pound avoirdupois for a ton, and

for a fraction of a ton, in a relative proportion, being less than said vehicle was represented to contain, allowing forty pounds for constantly changing weight of animal and vehicle, the said inspector shall notify the dealer owning said coal, so found to be deficient in weight, of the same, and of the penalty incurred.

SECTION 8. The salary of each of the said inspectors shall be the sum of sixteen hundred dollars per annum, commencing on the first day of November, one thousand eight hundred and seventy-one, to be paid from the city treasury, on a warrant drawn by the mayor of the city; and each of the said inspectors shall be qualified upon oath to perform honestly and truly their several duties to the best of their abilities.

Salaries of inspectors.

To be sworn.

SECTION 9. To provide means for the payment of the salaries of the said inspectors, each retail coal dealer in the city and county of Philadelphia shall pay an annual tax, commencing on the first day of July, one thousand eight hundred and seventy-one, equal in amount to the mercantile tax now in force, to be assessed and collected in the same manner and by the same officers as the said mercantile tax is now collected, and the amount so collected to be paid into the hands of the city treasurer.

Tax on dealers for payment of salaries.

SECTION 10. For each cart, wagon or other vehicle used by any retail coal dealer in delivering anthracite coal in the city of Philadelphia, stamped by the said inspectors, and which stamp is the consumer's guarantee of its proper capacity, the owner shall pay to the said inspector one dollar.

Fee for stamp.

SECTION 11. Every retail coal dealer in the city of Philadelphia who shall use any cart, wagon or other vehicle in delivering anthracite coal in said city, which shall not have been stamped by the said inspectors as heretofore provided in this act, shall be compelled to pay a fine of ten dollars, one-half of which shall go to the city and one-half to said inspector.

Fine for use of vehicle not stamped.

SECTION 12. For the refusal of any driver of any such vehicle to comply with the request of any of said inspectors to drive to a weigh scale: *Provided*, The scales designated are within four hundred yards of the place where the said coal shall have been loaded, the said inspector may order the driver under arrest, and take measures to weigh said coal himself; said driver, for such refusal, shall be compelled to pay a fine of five dollars, one-half to go to the city, the other half to the said inspector.

Penalty for refusal to comply with order of inspectors.

SECTION 13. Any person who shall refuse to permit the scales chosen by said inspector to be used by him, shall be compelled to pay a fine of ten dollars, one-half of which shall go to the city the other half to the said inspector.

Penalty for refusing use of scales.

SECTION 14. Any retail coal dealer sending out into the highway a load of anthracite coal containing less than two thousand two hundred and forty pounds avoirdupois for a ton, except when delivering fractions of a ton, or if delivering a fraction of a ton and said fraction of a ton contain less relatively than the legal standard of two thousand two hundred and forty pounds avoirdupois, the dealer so acting shall be compelled to pay a fine of fifty dollars, one-half to go the city and one-half to the said inspector.

Fine for sending out loads below standard weight.

Repeal.

SECTION 15. All acts or parts of acts inconsistent with or contrary to this act are hereby repealed: *Provided*, That no person interested in the mining or sale of coal shall be eligible under the provisions of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-seventh day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1196.

A Further Supplement

To the act, entitled "An Act to incorporate the city of Carbondale."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the mayor's court of the city of Carbondale shall have power to regulate the time and manner of doing business in the clerk's office, and enforce its authority by attachment.

Mayor's court may regulate business of clerk's office.

SECTION 2. The salary of the recorder of the city of Carbondale is hereby fixed at fifteen hundred dollars per annum, payable out of the state treasury, in the same manner as other judges of the commonwealth; and the present recorder shall be entitled to receive pay from the date of his first commission to said office: *Provided*, That as often as a vacancy shall occur in said office the same shall be filled by appointment and election, as in other like cases: *And provided further*, That whenever the recorder of said court, in any civil case or proceeding pending in said court, shall certify that he cannot try said cause or dispose of said proceeding, by reason of interest or other sufficient cause, then in that case it shall be lawful for the recorder of the city of Scranton to sit in said court as presiding judge for the trial or disposition thereof.

Salary of recorder.

Vacancy.

Recorder of Scranton may try cases when recorder is interested.

Associate judges.

SECTION 3. In lieu of the mayor and aldermen acting as associate judges in said court, at the next general election the electors of the said district shall elect two persons having the qualifications of senators, and being residents of said district, to fill the office of associate judges said court, to be commissioned by the governor for the term of five years; and whenever a vacancy shall happen it shall be filled as in other cases and the said associate judges shall be paid for each day's attendance upon the duties of said office the same pay as jurors of said court, from the treasury of said city.

SECTION 4. At the general election next to be held the election boards of the North district the township of Blakely and the borough of Gibsonburg, in Luzerne county, shall each provide a box for the reception of ballots expressive of the desire of the electors as to the extension of the jurisdiction of the mayor's court of the city of Carbondale; and each elector may deposit therein one ballot having on the outside "for extension" or "against extension," and on the inside "for" or (as the case may be) "against extension of the jurisdiction of the mayor's court of Carbondale;" and the said ballots shall be counted at the same time as the other ballots cast at said election, and certified copy of the result shall be sent on the next day after the election to the clerk of the court aforesaid, who shall file the same among the records of said court; and a return of said election shall be made, with the other returns, to the prothonotary of the county, and the said court, at its next term, shall publicly declare the result; and if it shall appear that a majority of the ballots cast in either or of both of said districts be in favor of such extension, the same shall be entered on the court minutes; and thereupon and thereafter the jurisdiction of said court shall extend to and embrace the territory within the said districts, or either of them, which shall have given such majority; and it shall be lawful for the electors aforesaid to vote at the same time for associate judges of said court, to be counted, certified and returned in the same manner as the vote on extension of jurisdiction; and said vote, from either or both of said election districts which shall have cast a majority in favor of extension as aforesaid, shall be counted in the general result, and not otherwise.

Election for extension of jurisdiction of mayor's court, relative to.

SECTION 5. Hereafter jurors shall be paid one dollar and fifty cents a day for services in said court; and in all appeals from the judgment of aldermen in said city the costs shall be paid in like manner as on appeals from justice of the peace in Luzerne county.

Pay of jurors.
Payment of costs on appeals from aldermen.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1197.

A Further Supplement

To an act, entitled "An Act to incorporate the city of Scranton," passed the twenty-third day of April, Anno Domini one thousand eight and sixty-six.

Salary of recorder.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the salary of the recorder of the mayor's court for the city of Scranton shall be two thousand dollars per annum, payable in the same manner, from the treasury of the commonwealth, as other law judges are paid, from the date of his commission.

Reference of civil actions, relative to.

SECTION 2. That the provisions of the act of the general assembly of this commonwealth, entitled "An Act authorizing the reference of civil actions in the county of Bradford," approved the sixth day of April, Anno Domini one thousand eight hundred and sixty-nine, and the several supplements thereto, so far as they apply to the county of Luzerne, be and the same are hereby extended to the said mayor's court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1198.

An Act

To enable the Philadelphia Commercial Wharf and Railroad Company to issue bonds, and to secure the payment of the same by mortgage.

Company may issue bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of raising money to pay present liabilities for the construction of further improvements, and to carry out the objects for which the Philadelphia Commercial Wharf and Railroad Company was incorporated, the direc-

tors of the said company are hereby authorized to issue bonds of the company from time to time, not exceeding the amount of the duly authorized capital stock of the company at the date of such issue of bonds, bearing interest not exceeding the rate of seven and three-tenths per centum per annum, and payable at such times as the board of directors may determine, and to dispose of the same at such rates as may be obtained therefor, and to secure the same by a mortgage or mortgages, or trustee or trustees, of all the corporate rights, franchises and property of the said company acquired or to be acquired.

Rate of interest.

SECTION 2. That this act shall take effect upon the acceptance of the same by a majority of the stockholders present at a meeting called for that purpose, of which ten days' notice shall be given in two daily newspapers of the city of Philadelphia.

When act to take effect.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE.
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1199.

An Act

For the protection of farmers and land owners, and the prevention of the destruction of fences and crops by horses, cattle, sheep or swine, in the townships of Exeter, Bern, Spring and Lower Heidelberg, in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the tenth day of October, Anno Domini one thousand eight hundred and seventy-one, no horses, cattle, sheep or swine shall be suffered to run at large upon the public roads or highways, in the townships of Exeter, Bern, Spring and Lower Heidelberg, in the county of Berks, under the penalty of two dollars for each offence.

Penalty for allowing horses, cattle, &c., to run at large.

SECTION 2. It shall be the duty of the constables within the said township, and they are hereby empowered and directed, without any special warrant or authority than this act, to seize and secure every animal of horse, cattle, sheep or swine kind, that may be found running at large as aforesaid, and the same to sell at public sale, in the same man-

Duties and powers of constables

ner as is provided by law for selling strays, giving the owner, if he can be found, at least five days' notice previous to such sale; if the said owner shall pay to the said constable the said penalty of two dollars, and also pay the expenses of keeping said animal or animals, then it shall be the duty of the said constable to deliver said animal or animals to the owner or owners thereof; but if he shall make sale as aforesaid, he shall pay the overplus, after deducting the said penalty and expenses, to the owner or owners thereof; and the constable making such seizure shall be allowed for the same to retain one-half of the penalty, and it shall be his duty to pay the other half to the school treasurer of the township, for the use of the school in said township.

Penalty for neglect of duty by constable.

SECTION 3. That if the constable shall neglect or refuse to seize or secure any animal as aforesaid, running at large, after being notified by any person to seize or secure the same, such constable shall pay a fine of five dollars, for the use of schools in the township, for every such neglect or refusal.

How penalties to be recoverable.

SECTION 4. The penalties imposed by this act shall be prosecuted and recoverable before a justice of the peace, in the name of the school directors of the said township: *Provided*, That the provisions of this act shall not be enforced in the said township, until approved by a majority of the lawful voters of the same, at the election to be held on the tenth day of October, Anno Domini one thousand eight hundred and seventy-one, for the election of state and county officers; that in said township, on said day, the election officers shall receive ballots on this subject for or against its approval.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1200.

An Act

To declare the Jonestown road, from Eleventh to Twelfth streets, in the city of Harrisburg, a public street.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the Jonestown road, in the city of Harrisburg, from

Eleventh to Twelfth streets, in said city, is hereby declared a public street, until Walnut street, between Eleventh and Thirteenth, is opened and graded.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1201.

A Supplement

To an act, entitled "An Act to prevent horses, mules, sheep and hogs from running at large in North Heidelberg township, in the county of Berks," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, extending the same to the township of Maxatawney, in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to prevent horses, mules, sheep and hogs from running at large in North Heidelberg township, in the county of Berks," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same are hereby extended to the township of Maxatawney, in said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1202.

An Act

To authorize the councils of the city of Philadelphia to revise the grades in the Twenty-first ward.

WHEREAS, The legislature of one thousand eight hundred and seventy passed an act conforming the grades as established in the Twenty-first ward:

And whereas, Upon many of the streets great injustice will be done if the grade so established shall be carried out; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia are hereby authorized and directed to direct the chief engineer and surveyor of said city to revise the grades upon such streets in the Twenty-first ward as a majority of the owners of property upon the said streets shall petition for.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1203.

An Act

To authorize the commissioners of Union county to exonerate Robert M'Clure, collector of state and county taxes for the borough of Lewisburg, from the payment of certain moneys collected by him.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Union county are hereby authorized to exonerate Robert M'Clure, collector of state and county taxes for the borough of Lewisburg, from the payment of the sum of one hundred and ninety dollars, collected by him, and which was lost or stolen from him: *Provided,*

That such exoneration shall not be made out of any money due the state from the county of Union: *Provided*, That before the commissioners shall make any exoneration under this act they shall require the said Robert F. M'Clure to file an affidavit that the money aforesaid was lost or stolen.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1204.

An Act

Authorizing the commissioners of the county of Schuylkill to receive the returns of the state, county, road and school tax collected of the township of Foster, Schuylkill county, within twenty days after the passage of this act.

WHEREAS, Thomas Brennan, collector of taxes for Foster township, Schuylkill county, was unable, on account of serious illness, to make his return of uncollected taxes at the time specified by law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Schuylkill county shall be authorized and empowered to receive the returns of the collector of county, state, road and school tax of the township of Foster, Schuylkill county, within twenty days after the passage of this act; and also the return of Michael O'Neil, tax collector of the borough of Minersville, said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1205.

A Supplement

To an act to incorporate the Humboldt Safe Deposit and Trust Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Humboldt Safe Deposit and Trust Company are hereby authorized from time to time to increase their capital stock, by a vote of their board of directors, or by a vote of the stockholders at any regular meeting or meetings, to any sum not exceeding three hundred thousand dollars, subject to the provisions of the second section of the act of incorporation; any court shall have power to deposit money with said company, in like manner as by the third section of the act of incorporation any court of common pleas is thereby empowered to do; and a misnomer of the said corporation, in any instrument, shall not vitiate the same, if the intention of the parties can be clearly ascertained therefrom; and in all cases of loans upon real estate the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower.

SECTION 2. That whenever any court shall appoint the said company a receiver, assignee, guardian, executor, administrator or other trustee, or shall order the deposit of money or valuables of any kind with said company, and whenever the said company shall receive and accept the office or appointment of executor, administrator, guardian or other trustee as aforesaid, from any person or persons, register of wills or court, which is hereby authorized, the capital stock as paid in shall be taken and considered as the security required by law for the faithful performance of their duties as aforesaid, and shall be absolutely liable in case of any default whatever.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

May increase capital by vote of directors.

Courts may deposit money with.

Misnomer.

Expenses of searches, &c., to be paid by borrower.

Capital stock security for performance of duties as trustee, &c.

No. 1206.

An Act

Relative to assessors in the county of Berks.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall hereafter be the duty of each assessor in the county of Berks to take up the transcripts he has received from the county commissioners in the month of April, of each and every year, instead of the first Monday in June, of each year, as provided in the act of April seventeenth, one thousand eight hundred and sixty-nine, entitled "An Act further supplemental to the act relative to the elections of this commonwealth."

SECTION 2. Hereafter the assessors for the county of Berks shall be elected for the term of three years.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1207.

An Act

To authorize the school board of the township of Ross, in the county of Allegheny, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the school board of the township of Ross, in the county of Allegheny, be and they are hereby authorized to borrow any amount of money, not exceeding the sum of three thousand dollars, payable within five years, at a rate of interest not exceeding nine per centum per annum, and to issue certificates or other evidences for the same, to be signed by the president and secretary of the board of said school district, for buildings and school purposes of the said district; said in-

debtedness to be exempt from all taxes, except for state purposes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1208.

An Act

Extending the time for Washington and Overfield townships, in Wyoming county, to organize under the school law, and giving to them the amount withheld from the state appropriation.

WHEREAS, The townships of Overfield and Washington, in the county of Wyoming, have not accepted of the terms offered them by the act of ninth of April, Anno Domini one thousand eight hundred and sixty-eight, and are still non-accepting districts; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act relative to non-accepting school districts," approved April ninth, Anno Domini one thousand eight hundred and sixty-eight, be and the same is hereby extended to the townships of Washington and Overfield, in the county of Wyoming; also to the township of Little Mahanoy, in the county of Northumberland: *Provided*, They accept of the terms of said act on or before the year one thousand eight hundred and seventy-three.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1209.

An Act

To establish and maintain for the city of Philadelphia, a house of correction, employment and reformation for adults and minors.

WHEREAS, The select and common councils of the city of Philadelphia, in the month of December, one thousand eight hundred and seventy, elected ten persons, five persons by select council, and five persons by common council, to serve as managers of the house of correction, employment and reformation; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers of the house of correction, employment and reformation, for adults and minors, elected under ordinance of the councils of the city of Philadelphia, approved December twenty-ninth, one thousand eight hundred and seventy, and their successors forever, be and they are hereby erected and made a body politic and corporate, in deed and in law, by the name, style and title of the House of Correction, Employment and Reformation for adults and minors, in the city of Philadelphia, and shall have full power to make improvements, maintain and control the said institution, buildings and grounds; they shall elect a president, secretary and treasurer, and such other officers, teachers, keepers and servants, as may be necessary for the management of the institution, who shall hold their offices during good behavior, and they shall receive such compensation as they the said managers shall deem proper; the managers may make any by-laws and regulations they may deem expedient for their own government, or the government and discipline of the said house of correction, employment and reformation: *Provided,* The same shall not be inconsistent with the constitution and laws of the United States or of this commonwealth.

SECTION 2. Whenever the managers of the house of correction, employment and reformation shall desire to make any additional permanent improvement, or purchase additional ground, and shall recommend that the same be done, and after the committee of councils of Philadelphia on house of correction shall endorse the said recommendation, then the councils of the city of Philadelphia shall make all necessary appropriations asked for by the said managers, for the purposes so recommended; and the managers of the house of correction, employment and reformation shall have power to superintend and direct the erection, completion and furnishing of said buildings during the progress of the said work. The said managers may extend from their property a single track railroad along and over such lands as may intervene between their ground and the Philadelphia and Trenton Rail-

Preamble.

Managers of house of correction, incorporated.

Name.

Corporate powers.

Officers, teachers, &c.

By-laws.

City councils to make appropriations to purchase additional grounds.

Managers may superintend erection, &c., of buildings.

May construct railroad track.

road Company, and connect therewith: *Provided*, The said railroad company assent thereto, (the distance of the said road not to exceed two thousand yards,) and to purchase right of way over the land to Philadelphia and Trenton railroad, and to erect wharves upon their property; the managers may provide for such inmates as may be necessary to aid in the construction of the permanent building, and after the two first wings have been furnished, the said board of managers shall have full and entire control to regulate the inmates therein, and shall at such times as they think proper, certify to the court of quarter sessions and to the board of managers of the Blockley almshouse, which court and managers and the inspectors of the Philadelphia county prison respectively thereafter commit to the said house of correction, employment and reformation, such able-bodied paupers and vagrants as may have been committed or sentenced to be confined in the county prison or Blockley almshouse for a period of not less than three months; and it shall be the duty of the said judges of the court of quarter sessions and the inspectors of the Philadelphia county prison to commit to said house of correction, employment and reformation, all vagrants, habitual drunkards, street walkers and disorderly persons, adults or minors, whom they may deem best to so confine; and it shall be the duty of the managers of the Blockley almshouse, managers of the poor for township of Germantown, managers of Lower Dublin and Oxford poor house, to transfer, within twenty-four hours after entrance in said almshouse, all able-bodied paupers, adults or minors, except such as may be necessary to employ in the service of said almshouses.

SECTION 3. The managers of the house of correction, employment and reformation, or any one of them, may commit thereto any and all persons who are willing to be so committed; and the mayor and recorder of the city of Philadelphia, the inspectors of the county prison, and all committing magistrates in the city and county of Philadelphia, may and they are hereby authorized to commit to said house of correction, employment and reformation, for any period of time not less than three, nor more than twelve months, all or any person or persons who, under existing laws, are liable to be committed to places of confinement, who shall apply to them for such purpose; all persons, adults or minors, that may hereafter be convicted, according to the existing laws of this Commonwealth, before the mayor or recorder, or any alderman of the city of Philadelphia, as a vagrant, drunkard or disorderly street walker, shall be sentenced to suffer confinement in the said house of correction, employment or reformation for the terms hereinafter mentioned, and to be fed, clothed and treated in the manner hereinafter mentioned; and any minors not under sixteen years of age, except by permission of the board of managers, absenting themselves from school, or who shall disobey their parents' command, or be found idle in the streets, may be arrested, upon the complaint of the parents of said minor, or upon the complaint of any citizen, and after the examination of the case, if the mayor, recorder or magistrate shall

May purchase right of way and erect wharves.

May provide for inmates.

Who may be committed to the house of correction.

Duty of judges of quarter sessions and prison inspectors.

Duty of managers of Blockley almshouse, &c.

Managers, mayor, recorder and magistrates may commit all persons who apply.

Vagrants, drunkards and street walkers convicted before mayor, &c., to be committed.

Disobedient and idle minors to be committed upon complaint

deem the charges sustained, he shall commit said minor to the house of correction, employment and reformation for such length of time as he may regard proper: *Provided*, That the time of incarceration for a boy shall not exceed his maturity, twenty-one years of age, nor a girl beyond the age of eighteen years, except in cases where a commitment for the time heretofore named, of not less than three months, nor more than twelve months, would exceed the ages specified; and managers shall have power, in their discretion, to place the said children committed to their care, during the time of commitment of the said children, at such employments, and cause them to be instructed in such branches of useful knowledge as may be suited to their years and capacities, and to place them at such work as they may be able to do, and to bind them out to such tradesmen or employers as may offer to receive them until the expiration of their commitment, under such regulations and conditions as the managers may agree upon.

Limit of confinement.

Managers may place children at employment, &c.

SECTION 4. All children, not under the age of sixteen years, deserting their homes without good and sufficient cause, or keeping company with dissolute or vicious persons, against the lawful commands of their fathers, mothers or guardians, or other person standing in the place of a parent, shall be deemed disorderly children.

Disorderly children.

SECTION 5. Upon complaint made on oath to any police magistrate or justice of the peace against any child within the city of Philadelphia, not under the age of sixteen, by his or her parent or guardian, or other person standing to him or her in place of a parent, as being disorderly, such magistrate or justice shall issue his warrant for the apprehension of the offender, and cause him or her to be brought before himself or any other police magistrate or justice for examination.

Police magistrates and justices may have disorderly persons arrested.

SECTION 6. If such magistrate or justice be satisfied, by competent testimony, that such person is a disorderly child within the description aforesaid, he shall make up and sign a record of conviction thereof, and shall, by warrant, under his hand, commit such person to the house of correction, employment and reformation; and the powers and duties of the said managers in relation to the said children shall be the same in all things as are prescribed as to other minors received by them; and it shall be the duty of such magistrate or justice as aforesaid, in addition to the record of conviction, to annex the names and residence of the different witnesses examined before him, and the substance of the testimony given by them respectively on which the said conviction was founded: *Provided*, That any person committed shall have the same right of appeal as is now secured by law to persons convicted of criminal offences; but on such appeal mere informality in the issuing of any warrant shall not be held to be sufficient cause for granting a discharge.

If convicted, to be sent to house of employment.

Names, &c., of witnesses to be annexed to record of conviction.

Right of appeal.

SECTION 7. Every person in the custody of the said board of managers, not disqualified by sickness or casualty, shall be employed by the superintendent in quarrying stone, cultivating the ground, manufacturing such articles as may be needed for the prison, almshouse, other public institution of the state or

Employment of persons in custody of managers.

city, or for other persons, and at such other labor as shall, upon trial, be found to be profitable to the institution, and suitable to its proper discipline and to the health and capacities of the inmates; and the superintendent may detail such numbers of the inmates as he may regard proper to do the work, outside of grounds of the institution, for any of the departments or institutions of the city, or for such other persons as may be approved by the board of managers.

Punishment for refusal to work.

SECTION 8. If any person committed to the said house of correction, employment and reformation, according to law, shall refuse or neglect to perform the work assigned to him or her, it shall be the duty of the superintendent to punish such persons by close confinement, on a diet of bread and water only, for such time as may be deemed necessary; which refusal and punishment shall be forthwith reported to the managers, and shall, by the clerk of the board, be recorded in a book to be kept for that purpose; it shall be the duty of the physician of the institution to visit every person, so confined for punishment, at least once in each and every twenty-four hours, and he shall record, in a book to be kept for that purpose, his opinion upon the health of the person confined; upon his opinion being given of said confinement acting injuriously thereon, the said confinement or diet shall be altered in such manner as he shall direct.

Physician to visit persons confined, &c.

Punishment for refusing to work, &c.

SECTION 9. Any inmate of said institution who shall wilfully break, destroy or injure any material, machinery, tool, property or thing belonging to the said institution, or shall escape therefrom, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of record of the county of Philadelphia, may be punished by imprisonment at hard labor for not less than one month or more than one year.

Monthly requisition for supplies.

SECTION 10. The superintendent shall make a monthly requisition on the board of managers for all articles which he shall deem necessary for the said institution, and such as shall be approved by them shall be purchased; the superintendent shall, once in every month, report to the board of managers the number of persons committed, discharged, sick, dead or remaining in the institution, also the quality and kind of labor performed; and the board of managers shall transmit annually, to the councils of Philadelphia, a condensed statement of the affairs of the institution.

Monthly report of commitments, &c.

Statement of affairs.

May apply to city councils for appropriation for deficiencies.

SECTION 11. For any deficiency in furnishing, keeping and maintaining said house of correction, employment and reformation, in conformity with the provisions of this act, the managers are authorized to apply to the said city councils for such sum or sums as shall be necessary, and the said city councils are hereby directed to appropriate the said sum or sums deemed necessary.

Terms of commitment.

SECTION 12. Every adult person committed to the house of correction, employment and reformation, of the city of Philadelphia, shall, for the first time be committed for a term of not less than three months nor more than one year; for the second time shall be committed for a term of not less than nine months nor more than eighteen months; for the third time for a term of not less than eighteen months nor more

than twenty-four months, and for four times, or at any time thereafter, for a term of not more nor less than twenty-four months; and said board of managers shall have discretionary power to discharge the said inmates.

SECTION 13. Any person committed to the said house of correction, employment and reformation, by any other authority than the court of quarter sessions of the peace of the city and county of Philadelphia, may apply for a writ of *habeas corpus* to any judge of the said court, and upon return thereof, if such judge shall deem there is sufficient or reasonable ground for granting the same, he shall enter upon a re-hearing of the evidence, and either discharge the individual, modify or confirm the commitment.

Habeas corpus.

SECTION 14. The managers of the house of correction, employment and reformation may, if in their judgment they regard it as necessary, erect, establish and maintain a separate building upon their grounds as an asylum for inebriates, to which the mayor, alderman, judges of the court of quarter sessions may commit for such a length of time as in their judgment may seem proper; and those inebriates who are able, or who have friends able to pay for their board and clothing, shall be admitted and charged such an amount per week as the managers may direct: *Provided*, This shall be a separate building, to be known as the hospital department, in which all aged and sick persons, including inebriates, shall be treated; and when such persons are relieved and able to perform service, they may be discharged from custody, unless they may prefer to be transferred to the labor department and work at their trade or some profitable employment, from which profits their expenses shall be deducted and the balance paid to them on discharge, for the purpose of aiding them in being re-instated in society.

Managers may establish separate asylum for inebriates.

Hospital department.

SECTION 15. The same power and authority that are given by ordinance of councils or acts of assembly to the guardians of the poor, prison inspectors and managers of the house of refuge of the city of Philadelphia, are hereby extended to the managers of the house of correction, employment and reformation of the city of Philadelphia.

Powers of managers.

SECTION 16. The managers of the house of correction, employment and reformation are hereby authorized, empowered and directed to levy, annually, a tax equal in amount to any licenses charged by the state upon every vender of spirituous or malt liquors in the county of Philadelphia, whether it be a wholesale or retail dealer, brewer, restaurant, tavern, hotel, theatre, oyster house, billiard saloon, ten-pin alley or other dealer, to be applied to the maintenance of the house of correction, employment and reformation.

Tax on venders of liquors for maintenance of house, authorized.

SECTION 17. The treasurer of the city of Philadelphia is hereby directed not issue any certificate of license to any vender of spirituous or malt liquors, until he, she or they shall have paid into the city treasury the tax provided by the sixteenth section of this act.

No license to be granted until special tax is paid.

SECTION 18. The board of managers shall, on or before the first day of November of each year, submit to councils a statement of the sums necessary for the maintenance of the

Annual statement to be submitted to councils.

house of correction, employment and reformation for the ensuing term.

Repeal.

SECTION 19. All acts or parts of acts inconsistent herewith be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1210.

An Act

Supplementary to an act relating to roads and bridges in the counties of M'Kean, Bedford and Venango, approved the ninth day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township auditors of the respective townships in the county of M'Kean shall, within a reasonable time after the passage of this act, fix a time and place of meeting within their respective townships, for the purpose of auditing, settling and adjusting the indebtedness of the township; of which meeting the auditors shall give at least two weeks' notice, by written or printed handbills, posted up in at least three conspicuous places in said township.

Auditors to fix time for adjusting indebtedness, and to give notice.

SECTION 2. At said meeting the auditors shall audit, settle and adjust all accounts and claims against said township not before that time audited, (except the accounts of the supervisors elected or appointed under the act of ninth of April, Anno Domini one thousand eight hundred and seventy, and the debts contracted by or under them, which shall be audited as is provided in said act,) and shall make report of the same in the same manner as they report in settling with township officers.

Duties of auditors.

SECTION 3. The township or claimant may appeal from the report in the same manner as report of township auditors in settlement with township officers is appealed from; but the supervisor may appeal on behalf of the township without entering into recognizance, as is required in the nineteenth section of the act of fourteenth April, Anno Domini one thousand eight hundred and fifty-one.

Township or claimant may appeal.

SECTION 4. It shall be the duty of the respective auditors, at said meeting, to ascertain the amount of the indebtedness of said township, the time when each debt was due and to whom; also to ascertain the debts due to the township, the time when they were due and from whom due, and the amount of moneys in the treasury, and make an itemized statement of the same, showing the balance in favor of or against the township, as the case may be, and within thirty days thereafter deliver a copy of said statement, under their hands and seals, to the supervisor of said township.

Auditors to make itemized statement of settlement, and give copy to supervisor.

SECTION 5. If the auditor's statement shows a balance against said township, the supervisor is hereby required to levy a tax for an amount sufficient to pay said balance, together with an allowance for commissions and exonerations, and he shall levy and collect the said tax in the same manner that he is by law authorized to levy and collect road taxes: *Provided*, That he shall not levy more, in any one year, than ten mills on the dollar valuation for the purpose of paying the indebtedness of the township; the supervisor shall also proceed to collect the debts due to the township by action or otherwise; but if there be a delinquent tax returned to him by the auditors, he shall collect it in the same mode that road taxes are collectible, except there shall be no abatement of five per centum on said delinquent tax.

Supervisor to levy tax to pay balance found against township.

To collect debts due.

SECTION 6. In those townships which have levied more bounty tax than is required to pay the bonds given to procure volunteers to the United States army, the said tax or surplus of tax is hereby appropriated to pay the indebtedness of the township; and if any township has not paid the bonds issued for bounty to volunteers, the supervisor of said township is authorized to levy a tax for that purpose, not exceeding ten mills on the dollar valuation, in any one year, to be collected by him in same mode that he collects road tax; but no more tax shall be levied than is necessary to pay the bonds.

Surplus of bounty fund appropriated to pay indebtedness.

Supervisor may levy tax to pay bounty bonds.

SECTION 7. The supervisor shall pay the bounty tax to the holder of the bonds, taking a receipt from the holder of the bond for the amount, certifying that the same is endorsed upon the bond; and it is hereby made the duty of the supervisor to see that every payment made by him is endorsed upon the bond, at the proper date, and the certificate shall be his voucher in settling with the township auditors; any surplus bounty tax, after paying the bonds, shall be applied to the township indebtedness, or if there be no indebtedness, it shall be applied to the road funds; and if the auditor's certificate to the supervisor shows any money in the township treasury, it may be drawn out by the supervisor's draft, to pay the indebtedness of the township; and the supervisor shall pay the debts of the township according to priority of date, that is, the oldest debt shall be paid first, et cetera.

Duty of supervisor.

SECTION 8. If the supervisor shall judge it to be for the interest of the township in selling a section of road in which there is a bridge across a creek or river, that the township take the risk of the bridge being destroyed by flood or otherwise, he may so sell it; but it shall be specified in the contract which party takes the risk, and if it be the buyer, he shall be required to

Sale of sections of road containing bridge, relative to.

to give bond with surety, to the satisfaction of the supervisor, conditioned for the maintenance in good repair of the bridge, and in case of its loss by flood or otherwise, that he will, as soon as may be, erect a new one of the same description as the one lost or destroyed.

Bond of supervisor liable for performance of duties.

SECTION 9. The supervisor shall be liable on his official bond for the faithful discharge of the duties enjoined on him by this supplement, and he shall also be liable to the remedy by *mandamus*, as is provided in the act to which this is a supplement.

Repeal.

SECTION 10. The act, entitled "An Act relating to the collection of road taxes in the county of M'Kean," approved the twenty-third day of March, Anno Domini one thousand eight hundred and sixty-five, is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1211.

An Act

To vacate a forty feet lane or street, sometimes called Sergeant street, in the Twenty-fourth ward of the city of Philadelphia, to vest the soil in the owners thereof.

WHEREAS, In eighteen hundred and five, in the partition of the real estate in the case of Richard Crean *versus* John Crean, as will appear by the plan annexed to the return of inquisition filed in the supreme court for the Eastern district of Pennsylvania, there was laid out a private road or lane forty feet wide, sometimes called Sergeant street, containing sixty-five (65) perches, in the Twenty-fourth ward of the city of Philadelphia, leading into the Lancaster turnpike road, for the private use of the owners and occupiers of the several allotments bounding thereon:

And whereas, The greater part of the said forty (40) feet wide lane became merged and vacated by the opening of Thirty-ninth street:

And whereas, The original allotments bounding upon the said lane which exclusively had the right of way over said lane, are now vested in the Old Man's Home, Edward W. Lehman and John L. Buzby, surviving executors and trustees of William Crean, deceased; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said forty (40) feet wide lane, sometimes called Sergeant street, in the Twenty-fourth ward of the city of Philadelphia, be and the same is hereby vacated and the soil thereof, except that part absorbed by Thirty-ninth street, be vested in the parties having the exclusive right of way thereto in fee.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1212.

An Act

To repeal so much of the act approved the seventh day of April, Anno Domini one thousand eight hundred and seventy, as relates to the using of a steam locomotive on Morris street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act, entitled "An Act for the promotion of manufacturing interests in the city of Philadelphia," approved the seventh day of April, Anno Domini one thousand eight hundred and seventy, authorizing a steam railroad on Morris street, in the city of Philadelphia, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1213.

An Act

To authorize the state treasurer to refund certain collateral inheritance tax to the executor of the estate of Ellen Cooper, deceased.

WHEREAS, James H. Horn, executor of the last will and testament of Ellen Cooper, late of the city of Philadelphia, deceased, did, on the thirteenth day of February, Anno Domini, one thousand eight hundred and sixty-five, pay over to the register of wills, et cetera, for the city and county of Philadelphia, the sum of four hundred and ninety-two dollars and ninety-five cents as collateral inheritance tax upon said estate, under the belief that said estate was liable to said tax :

And whereas, The said estate, except the sum of one thousand dollars thereof, was not liable to the payment of the said tax ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer is hereby authorized and directed to refund to James H. Horn, executor of the last will and testament of Ellen Cooper, late of the city of Philadelphia, deceased, the sum of four hundred and forty-two dollars and ninety-five cents, erroneously paid by him as collateral inheritance tax upon said estate: *Provided however,* That before said money is paid by the state treasurer, the said James H. Horn shall produce satisfactory evidence to the auditor general that said sum was erroneously paid, and that said collateral inheritance tax was not due to the commonwealth.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1214.

An Act

To confirm and establish certain monuments in the borough of Smethport, county of M'Kean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the stone monuments in the borough of Smethport, in the county of M'Kean, fixed under an ordinance of the town council, approved the eighth day of July, eighteen hundred and fifty-nine, by Robert King, an engineer appointed by said ordinance for that purpose, are hereby declared to be the true basis of measurement and location for determining the corners and lines of the squares and outlots of said borough.

Certain monuments declared the basis of measurement, &c.

SECTION 2. That it shall be the duty of the burgess and town council of the said borough to cause a map to be made and certified by the said Robert King, showing the position of said monuments, with reference to the borough squares, and to cause the same to be placed on the record of deeds in said county, which record and certified copies thereof shall be received, and may be read in all suits or actions where the same may be relevant, as evidence of the matters therein contained.

Borough authorities required to cause a map to be made by Robert King, &c.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1215.

An Act

To incorporate the Centennial Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That George W. Childs, General Robert Patterson, General George Cadwalader, John O. James, Dr. Joseph Pancoast, George H. Boker, Anthony J. Drexel, Henry M. Phillips, Edwin H. Fidler, A. H. Franciscus, Samuel Welsh, Barton H. Jenks, George K. Zeigler, Henry C. Gibson, Fairman Rogers, Joshua Lippincott, Charles J. Peterson, J. Rinaldo Laut, Robert M. Hooper, Henry C. Lea, Joseph F. Tobias, Thomas H. Powers, William M. Baird, Charles Wheeler, Henry D. Welsh, D. B. Bartol, Eli K. Price, J. Gillingham Fell, J. Edgar Thompson, Robert Cresswell, Joseph Harrison, George H. Stuart, John Robbins, Junior, Thomas A. Scott, Matthew Baird, George W. Biddle, Thomas J. Barger, Adolphus E. Borie, General Isaac J. Wister, Asa Packer, N. B. Browne, Theodore Cuyler, Morton M'Michael, Anthony J. Antelo,

Corporators.

Joseph Swift, William H. Kemble, J. Dorsey Bald, Thomas M'Kean, Charles Sinnickson, James L. Claghorn, Henry B. Coxe, James C. Hand, George F. Tyler, Joseph Patterson, Clarence H. Clarke, Alexander Brown, Henry B. Tatham, Jay Cooke, William H. Rawle, Francis A. Drexel, Thomas Tasker, Alfred D. Jessup, G. D. Rosengarton, John C. Bullitt, Thomas Sparks, Coffin Colket, Dr. Andrew Nebinger, Ferdinand J. Dreer, John H. Michener, Lewis Cooper, W. C. Allison, J. E. Kingsley, George J. Bolton, Frank M. Etting, Gustavus Remak, Henry Budd, Charles Macalester, Charles Robb, Richard Vaux, Charles L. Borie, Alexander Biddle, Gustavus S. Benson, William H. Gatzmer, James Miliken, Vincent L. Bradford, E. C. Green, J. W. Forney, Chas. M. Hall, John W. Everman, Joseph H. Livingston, John Crump, James P. Brunner, R. D. Barclay, John P. Green, Lewis J. Ladner, Alexander Cummings, John C. Bickel, Hugh W. Tenner, Charles E. Warburton, W. W. Harding, L. Clark Davis, Charles F. Ruff, George W. Bullock, Samuel R. Phillips, William F. Smith, John H. Michener, William Welch, Samuel Josephs, William C. Baker, Thomas Potter, James E. Gowan, Edward H. Trotter, Samuel B. Thomas, Edward S. Mawson, Edward Shippen, Edwin M. Lewis, David Woelper, John Hulme, Samuel S. Moon, William T. Lowber, William Lejee, Theodore Megargee, Richard J. Dobbins, Joseph W. Forsythe, John F. Smith, Joseph H. M. Moore, Sylvester J. Megargee, Andrew M. Bullock, Edwin Forrest, James S. Watson, Owen Jones, Robert E. Randall, Samuel G. King, Price I. Patton, Andrew Colesberry, and such others as may be associated with them, and their successors and assigns, are hereby declared to be a body politic and corporate, in law and in fact, under the name and title of the Centennial Association of Philadelphia, and as a corporation it shall have succession, and all other incidents thereunto belonging.

Name.
Corporate
privileges.

Object.

SECTION 2. The object of the said association shall be to act in conjunction with the public authorities and other citizens in all matters appertaining to the celebration of the centennial anniversary of American independence, on the fourth day of July, Anno Domini one thousand eight hundred and seventy-six, and from century to century to render assistance in the approaching centennial anniversaries of the said day, and for that purpose the said corporation may appoint all necessary officers and agents: *Provided however*, That the said association shall at no time hold, or in any wise control, by lease, ownership, gift or otherwise, the buildings, structures and enclosures required and used for exhibition and other purposes on the occasion of the said celebration, or during the time intervening between the said celebration; nor shall the said association become pecuniarily interested in the exhibition that may take place or be given on the occasion of said exhibition.

Officers.

SECTION 3. The officers of the said association shall be a president, four vice presidents, a secretary, a treasurer and eighteen managers, who shall form a board of managers; they shall be elected promptly after the organization of the com-

pany, and thereafter annually, at such time and in such manner as may be prescribed by the by-laws.

SECTION 4. Members shall be elected in such manner as shall be directed by the by-laws; the price of membership shall be one hundred dollars, and no one, whether herein named or not, shall be a member until after the payment of such admission fee; and no other charge or assessment shall be made, except with the written consent of three-fourths of the whole number of members, and any one then unwilling to pay such further charge or assessment may withdraw from membership.

Membership.

SECTION 5. The association may make such by-laws as are necessary for its purposes, and it may adopt an appropriate device for a badge to be used by its members on any suitable occasion.

By-laws.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1216.

An Act

Relative to the sale of intoxicating drinks in the borough and township of Girard, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the qualified voters of the borough and township of Girard, in the county of Erie, at the next borough and township election, and at the annual municipal election every three years thereafter, to vote for or against the granting of license for the sale of intoxicating liquors in said borough and township respectively; notice to be duly given of said election or voting by the proper constable of said borough or township, as given of the several offices to be filled at such election.

Vote on the question of license, authorized.

SECTION 2. Said election or voting shall be held at the same time and place, and in the same manner, that elections are held for the election of borough and township officers, and returns thereof shall be made as returns of the election of such officers are made; and certified copy of such return shall be filed in the court of quarter sessions of said county at the same time.

Voting to be at the time and place for borough election.

Tickets.

If majority be
against license,
court not to
grant.

SECTION 3. The election boards shall receive from each qualified voter of said borough or township, as the case may be, one ticket, on the outside of which shall be written or printed "license application," and on the inside shall be written or printed "for license" or "against license;" and if a majority of the votes be cast against license, then the court of said county shall not grant license to any person or persons to sell intoxicating drinks, except as provided in the act approved April fourteenth, one thousand eight hundred and sixty-nine, entitled "An Act to prevent the sale of spirituous and vinous liquors in the township and borough of Girard, in the county of Erie;" but if a majority shall vote for license, applications for license may be made to and shall be considered, heard and disposed of by the proper court of said county, in accordance with the laws in relation thereto, existing at the time of the aforesaid enactment, approved April fourteenth, one thousand eight hundred and sixty-nine: *Provided*, That nothing in this act shall be construed as repealing the second, third and fourth sections of said act; and the first section thereof shall only be amended so far as necessarily changed by the provisions hereof.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1217.

A Supplement

To the act for the preservation of the records of the inspectors of coal mines in the mining districts of Schuylkill and Luzerne, embracing the anthracite coal regions of Pennsylvania, approved the fifth day of April, one thousand eight hundred and seventy.

State treasurer
to pay certain
expenses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the commonwealth is hereby required and directed to pay all reasonable charges incurred by the clerk of the mining district of Schuylkill, not exceeding the sum of two hundred dollars per annum, for office rent, fuel, stationery and fixtures, necessary for the preservation of plans, maps and surveys of mines in the counties of Schuylkill, Northumberland, Columbia and Dauphin, and the records

of deaths and accidents in and about the mines of said counties, together with the records of the inspectors of mines in the aforesaid district; all of which records and papers are and shall be the property of the commonwealth.

SECTION 2. That the said clerk shall furnish the treasurer of the commonwealth his bill for the expenses thus incurred, attested before an alderman or justice of the peace, and a transcript of which shall be annexed to his annual report to the governor, detailing the expenses thus incurred.

Clerk to furnish
treasurer attest-
ed bill of ex-
penses.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1218.

An Act

Authorizing and requiring the commissioners of Butler county to publish lists of jurors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the commissioners of the county of Butler are hereby authorized and required to publish, for three weeks, in at least two newspapers published in said county, the names of the several persons drawn according to law, to serve as jurors at the several courts held in said county for jury trials: *Provided,* That the compensation for such publication shall not exceed ten cents per name to each paper.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1219.

A Further Supplement

To the act consolidating the city of Philadelphia, and empowering the councils of said city to fill all vacancies hereafter occurring in the board of guardians of the poor.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia shall meet in joint convention at any stated meeting in every June thereafter, and elect four persons, one of whom shall represent the minority of said councils, to be members of the board of guardians of the poor of said city, to serve for three years.

Councils to elect four guardians of the poor annually.

Repeal.

SECTION 2. That all acts or parts of acts, so far as they provide any other or different mode of appointing the members of said board of guardians, be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1220.

An Act

To provide for the assessment and payment of road damages to Gottlieb Simmons, of Wiconisco township, Dauphin county.

Preamble.

WHEREAS, A public road has been laid out and opened through lands of Gottlieb Simmons, in Wiconisco township, Dauphin county, and said Simmons has never received any compensation for the damage thus done to his property :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Court to appoint viewers to assess damages.

That the court of quarter sessions of Dauphin county be and the same is hereby authorized and empowered to appoint three

or more competent persons as viewers, to ascertain or assess the damage done to the lands of Gottlieb Simmons, in Wiconisco township, in said county, by the opening of the public road extending from the eastern end of Main street, in Elmtown, in said township, to the Pottsville road, through and over the lands of said Simmons; and the viewers having been so appointed and duly sworn, shall, after five days' notice to the supervisors of said township, proceed to view the premises, and ascertain and assess the damage occasioned by the opening of said road through the lands aforesaid, and shall make report of their proceedings to the next regular term of the said court; which report shall thereupon be acted upon and confirmed by said court, in the same manner and subject to the same rules as auditors' reports in the orphans' court of said county are now acted upon and confirmed.

Duty of viewers.

Report.

SECTION 2. Upon confirmation of the report of said viewers by the said court of quarter sessions, the damages therein awarded to said Gottlieb Simmons shall be paid to him by said township of Wiconisco, in the same manner that road damages are now by law required to be paid.

Damages to be paid on confirmation of report.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1221.

A Further Supplement

To an act to erect the town of Hamburg, in Berks county, into a borough, and for other purposes, approved April third, one thousand eight hundred and thirty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of the supplement to the charter of the borough of Hamburg, approved the eighteenth day of March, one thousand eight hundred and fifty-two, be and the same is hereby repealed; and that in lieu thereof the twentieth section of an act erecting Hamburg into a borough, and for other purposes, approved the third day of April, one thousand eight hundred and thirty-seven, be and the same is hereby re-enacted; and further, that the provisions of the thirtieth section and of the second article of the second section, except so much

thereof as relates to common sewers, of an act, entitled "An Act regulating boroughs," approved the third day of April, one thousand eight hundred and fifty-one, be and the same are hereby applied to the said borough of Hamburg, in said county of Berks.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1222.

An Act

Supplemental to an act, entitled "An Act for the promotion of manufacturing interests in the city of Philadelphia," approved the seventh day of April, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from after the passage of this act it shall and may be lawful for the proprietors of the manufacturing establishments, mentioned in the act to which this is a supplement, to lay out, construct and continue a railroad track in the manner authorized by said act, from Front street along Tasker street to the east side of Fifth street, in said city, with all the powers, rights and privileges as to the construction and use of the said railroad track along and over Tasker street, which are given in the act to which this is a supplement, for the construction and use of a railroad over Morris, Mifflin and M'Kean streets: *Provided,* That nothing in this act shall be so construed as to run a locomotive on Morris street, in the city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1223.

An Act

To incorporate the Marine hospital of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Miller, Isaac Robinson, J. F. Stanton, William Woodrick and J. H. Richardson, or a majority of them, their associates, successors and assigns, be and they are hereby created a body politic and corporate, in law and in fact, by the name, style and title of the Marine hospital of Philadelphia, and by the same shall have perpetual succession, may sue and be sued, have a common seal, and at pleasure alter or renew the same, and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors and assigns, any lands, tenements, goods and chattles, of whatever kind, nature or quality, real, personal or mixed, which are now or may become the property of the said corporation, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell, convey, mortgage, improve or dispose of, for the use and benefit of the said corporation, and make all needful by-laws, rules, orders and regulations for the management of the same, not contrary to the constitution and laws of this commonwealth or of the United States, and may do all and every other act, matter and thing which any corporation or body politic can or may lawfully do in the premises: *Provided,* The said corporation shall not hold real estate exceeding in value the sum of two hundred thousand dollars.

SECTION 2. That the object of the corporation shall be to establish, in or near the city of Philadelphia, a hospital to provide medical and surgical aid and nursing, with proper moral instruction, for the sick and disabled, without distinction of creed or color.

SECTION 3. That the members of the said corporation, or a majority of them, their successors and assigns, shall have power to elect a physician, a regular graduate of medicine, as medical director and superintendent, who shall have power to appoint an assistant physician, who shall also be a regular graduate of medicine, as assistant medical director and superintendent, the steward, matron and such other officers and assistants as may be deemed necessary for the successful administration and government of said hospital.

SECTION 4. That the members of the said corporation, or a majority of them, their successors and assigns, may have power to organize themselves as a board of managers, or they, or a majority of them, may elect a board of managers, of whom the medical director and assistant medical director

Corporators.

Name.

Powers and privileges.

Object.

May elect a physician.

Assistant physician.

Steward, matron, &c.

Organization.

Vacancies. shall be, *ex-officio*, respectively, the president and vice president; and further, that the president of the board of managers is hereby empowered and authorized to supply or fill any vacancy that may occur in the board, and also to appoint a board of visitors.

May issue certificates of stock. SECTION 5. That the said corporation shall have power to issue certificates of stock from time to time, to an amount not exceeding five hundred thousand dollars, subject to such rules, regulations and forms as the by-laws of the said corporation may prescribe; which stock may be sold at the fixed par value of the shares, or at such price as may be determined upon, and declared fully paid; and the said corporation may create mortgages on any part or the whole of their property, real, personal and mixed, with or without coupon bonds, and may from time to time borrow money upon or sell the same, at their discretion; and the debt so created shall not bear a higher rate of interest than seven and three-tenths per centum per annum.

May create mortgages and borrow money. SECTION 6. That any misnomer of the said corporation or their successors shall not defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided*, That the intent of the party or parties shall sufficiently appear upon the face of the gift, grant, will or other writing whereby any estate or interest was intended to pass to or from the said corporation.

Misnomer.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1224.

An Act

To incorporate the College of Mines.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Carlos Zuloaga, L. J. Fellez, P. Sicouret, M. Roche, J. P. Mickley, J. F. Crowley and C. Cunningham, or a majority of them, their associates, successors and assigns, be and they are hereby created a body politic and corporate, in law and in fact, by the name, style and title of the College of Mines, and by the same shall have perpetual succession, may sue and be

Corporators.

Name.

sued, have a common seal, purchase, hold and convey all lands and tenements, moneys, goods, chattels and effects necessary for the use thereof, and may make all needful by-laws, rules and regulations for the management of the same, not contrary to the constitution and laws of this commonwealth or of the United States, and may do all and every other act, matter and thing which any corporation or body politic can or may lawfully do in the premises: *Provided*, That the said corporation shall not hold real estate exceeding in value the sum of seventy-five thousand dollars. Privileges.

SECTION 2. That the members of the said corporation or a majority of them, their associates, successors and assigns, shall have power to elect a president, who shall be thereby empowered to appoint the officers, professors and assistants necessary for the successful management of said college, and shall have power to fill any vacancy that may occur. Officers, professors, &c.

SECTION 3. That the said college shall have power to teach all the branches of learning necessary for the education of persons to perform the various duties of chemists, geologists, mineralogists, pharmacists, metallurgists, et cetera, and shall have power to confer degrees upon such persons as shall have completed the prescribed course of study or provided themselves by examination sufficiently graduated in knowledge to justify awarding to them diplomas for the same. Powers.

SECTION 4. That by the filing in the office of the secretary of the commonwealth of a certificate signed by the president of the college, setting forth a change of name of said corporation, the name, style or title thereof shall be changed at any time to that set forth and adopted in the said certificate. May change name.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1225.

An Act

To incorporate the Duquesne Literary Club of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Malcolm Hay, T. Brent Swearingen, Stephen C. M'Candless, D. O. Barr, James H. Hopkins, R. W. Guthrie, Corporators.

Name.	William H. Meebling and William B. Lupton, and such other persons as may be or may be hereafter associated with them, are hereby constituted a body politic and corporate, under the name, style and title of the Duquesne Literary Club of Allegheny, to have perpetual succession, with a capital stock of thirty thousand dollars, divided into three hundred shares, of the value of one hundred dollars each, and with privilege to increase the same, by a vote of the stockholders, at an annual or special meeting, to fifty thousand dollars, and with authority to lease, purchase, take and hold, by gift, grant, demise, devise or bequest, or any other lawful mode of conveyance, any lands, tenements, goods, chattels or estate, real, personal or mixed, and the same, or any part thereof, from time to time may lease, sell, alien, mortgage or otherwise dispose of, and may have a common seal, and the same alter or renew at pleasure, and by the style and title aforesaid shall be capable in law to sue and be sued; and the said association may make all needful rules, regulations and by-laws for the management of the affairs of the corporation: <i>Provided</i> , That the same shall not be repugnant to the constitution and laws of this commonwealth; and upon filing a proper certificate of the president and directors in the office of the secretary of the commonwealth, may change the name of the corporation.
Capital.	
Powers and privileges.	
Object.	SECTION 2. The object of the said corporation shall be to aid in the mental culture of its members by the formation of a library and reading room, to cultivate friendly and fraternal spirit among its members, and to establish rooms suitable therefor.
Officers.	SECTION 3. The officers of the corporation shall be a president, secretary, treasurer and five managers, who shall be elected annually by the stockholders, in such manner as the by-laws may provide, and such other officers and agents as may be deemed requisite: <i>Provided</i> , That in case of failure at any time to elect officers, those in office shall continue until their successors are chosen.
By-laws may regulate rights and duties of members, &c.	SECTION 4. The duties and rights of the members of said corporation, the powers and functions of the officers thereof, the mode of supplying vacancies in office, times of meetings, the mode, qualification and terms of the admission or election of stockholders or members, the causes which shall justify their expulsion, the manner of effecting the same, the mode and manner in which the property of said corporation shall be divided, in case of a dissolution of said corporation or winding up its affairs, may be regulated by the by-laws and ordinances of said corporation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY

No. 1226.

An Act

To repeal an act to prevent cattle, horses, sheep, mules and swine from running at large in the township of North Heidelberg, Berks county, approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act, entitled "An Act to prevent cattle, horses, mules, sheep and swine from running at large in North Heidelberg township, in the county of Berks," approved the seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine, be and the same is hereby repealed: *Provided*, That the provisions of this act shall not go in force in said township until approved by a majority of the lawful voters of the same, at the election to be held on the eleventh day of October, Anno Domini one thousand eight hundred and seventy-one, for the election of state and county officers; that in said township on said day the election officers shall receive ballots on this subject for or against its repeal: *Provided further*, That the provisions of this act shall not apply to supplements to said act, approved April seventeenth, one thousand eight hundred and sixty-nine, but remain in full force and effect.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1227.

An Act

To grant an annuity to Mary Bowers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the state treasurer be and is hereby authorized to pay an annuity to Mary Bowers, widow of William Bowers, a soldier of the war of eighteen hundred and twelve, commencing at the date of the revisal of the act of March third, eighteen hundred and sixty-six, deducting what has been heretofore paid: *Provided*, That when the general government shall provide by law for pensions to soldiers of the war of eighteen hundred and twelve, then the pension hereby granted shall cease.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1228.

A Further Supplement

To an act to authorize the board of school directors of the borough of Bethlehem, Northampton county, to borrow money, approved May third, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the bonds issued by the board of school directors of the borough of Bethlehem, in the county of Northampton, by authority of an act approved May third, one thousand eight hundred and sixty-nine, to authorize the board of school directors of the borough of Bethlehem, Northampton county, to borrow money, and the supplement thereto, approved March twenty-first, one thousand eight hundred and seventy-one, be and the same are hereby exempted from taxation for any purpose whatever.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1229.

An Act

To authorize the overseers of the poor of Woodward township, Clearfield county, to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the overseers of the poor of the township of Woodward, in the county of Clearfield be and they are hereby authorized to sell and convey by public sale, after four weeks' public notice in two newspapers in Clearfield county, all those certain premises, situate in Woodward township, aforesaid, containing about eighty acres, being the same premises bequeathed to James M'Kee, Jr., by James K'Kee, by his last will, recorded at Clearfield, in Will book A, page one hundred and eighty-seven, under certain limitations and restrictions therein contained, and to vest the title to said premises in the purchaser or purchasers thereof, in fee simple, clear and discharged of any trust or liability whatsoever; and the proceeds of said sale shall be applied by the said overseers of the poor to the support and maintenance of the said James M'Kee, Jr., and his family, paupers, now a charge upon the said township of Woodward, in accordance with the law regulating overseers of the poor; and the said overseers of the poor shall make report of such sale to the court of common pleas of Clearfield county, and upon approval of the same by the said court, the title shall pass to and vest in the purchaser or purchasers thereof, in fee simple, as hereinbefore provided.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1230.

An Act

To divide the borough of Dunmore into four wards.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said borough of Dunmore shall be and is hereby divided into four wards, as follows: All that part of the territory within the present limits of the borough of Dunmore lying north of the Old Drinker turnpike, east of First ward of the city of Scranton, west of the Little Roaring Brook and south of the Blakely township line, shall be and compose the First ward of said borough; all that part of the territory of the present borough limits lying north of the Roaring Brook, east of Chestnut street, west of Little Roaring Brook, and south of road known as the Old Drinker turnpike, shall be and compose the Second ward of said borough; all that part of the territory of the present borough limits lying north of the city of Scranton, east of the city of Scranton, west of Chestnut street, and south of road known as the Old Drinker turnpike, shall be and compose the Third ward of said borough; all the remaining portion of the territory of said borough, not embraced within the territory included within the several wards aforementioned, shall be and compose the Fourth ward of said borough; all elections in said borough shall be held in the respective wards of said borough, as follows: For the First ward, at the house kept by George M. Black, in said ward; for the Second ward, at the house kept by Anthony M'Donnell, in said ward; for the Third ward, at the house kept by Isaac Depuy, in said ward; and for the Fourth ward, at the house kept by Patrick Gerretty, in said ward; and for the purpose of properly conducting said election, the judges of quarter sessions of Luzerne county shall, at any regular term of said court, or in vacation, appoint one judge and two inspectors of election for each of said wards in said borough, from the qualified electors residing in their respective wards, who shall be qualified, and shall conduct the first election under this act in the manner now provided by law; and at the first borough election next ensuing after the passage of this act, and annually thereafter, there shall be elected one judge and two inspectors of election in each of said wards, who shall be elected and qualified, and shall perform the duties in their respective wards of like officers under the laws of this commonwealth: *Provided*, That nothing contained in this act shall be construed to impair, alter or affect in any manner the existing government of said borough, its laws, ordinances, by-laws and regulations, nor for the increase of officers of said borough, only as herein provided for election purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1231.

An Act

To authorize James F. Wood, bishop of Philadelphia, to sell certain real estate in the borough of Pottsville, county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James F. Wood, bishop of Philadelphia, and his successors, are hereby authorized to sell, grant and assign the following lot or parcel of land, situate, lying and being on the southwardly side of a twenty feet wide street, called Schuylkill avenue, in Benjamin Pott's addition to the town of Pottsville, in the county of Schuylkill, and state of Pennsylvania; said lot commencing at a corner, at a distance of sixty feet from the eastwardly line of lot number three, as originally laid out by the said Benjamin Pott; thence south thirty degrees east along the line of land now or late of Henry Moll, one hundred and twenty-two feet six inches to the centre of a fifteen feet wide alley; thence along the centre of the said fifteen feet wide alley north sixty degrees east parallel with said Schuylkill avenue thirty feet; thence along land now or late of Benjamin Weller, north thirty degrees west one hundred and twenty-two feet six inches to said Schuylkill avenue; thence along the southwardly side of said Schuylkill avenue westwardly thirty feet to the place of beginning, containing in width thirty feet and in depth, between parallel lines, one hundred and twenty-two feet six inches; and also the free and common use of said fifteen feet wide alley, (it being the same lot of ground which Aaron Schuck and Eliza, his wife, conveyed to the Reverend Joseph Burg,) to such person or persons, in parcels or altogether, for such price or prices, and for such estate or estates, as the said bishop and his successors shall determine.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1232.

An Act

To authorize and require the auditors of Cass township, in Schuylkill county, to re-state and re-settle all the accounts of Patrick Christopher, late supervisor for the years one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine.

WHEREAS, Patrick Christopher was one of the supervisors of the township of Cass, in the county of Schuylkill, for the years one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine, and before any settlement of his accounts as such officer was made, the order books, check roll, et cetera, were destroyed by reason of the destruction of his house by fire, and by reason thereof, and the death of James Murphy, the other supervisor, great injustice was done to the said Patrick Christopher in the settlement of his accounts as such supervisor, by a special audit, in charging him with all orders issued by him, and not allowing him credit for the time of the workmen and for the work done for which such orders were issued, and he is now prepared and able to prove and furnish evidence to establish the facts that the work was done for which such orders were drawn, and by reason of the neglect and oversight of counsel he was deprived of the benefit of an appeal from the report of the special auditors ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditors of Cass township, in the county of Schuylkill, are hereby authorized and empowered and required to re-state and re-settle all of the accounts of the said Patrick Christopher, late supervisor for the years one thousand eight hundred and fifty-seven, one thousand eight hundred and fifty-eight and one thousand eight hundred and fifty-nine, as aforesaid.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1233.

An Act

Authorizing the borough of Norristown, in Montgomery county, to issue new bonds for the purpose of funding existing debt, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Norristown, in Montgomery county, be and they are hereby authorized to issue coupon or other bonds, to an amount not exceeding in the aggregate ninety thousand dollars, bearing interest at the rate of six per centum per annum, for the purpose of redeeming all of the old and different issues of bonds heretofore made by legislative authority by said borough, and funding the existing indebtedness, and for such other purposes as the corporate authorities of said borough may direct.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1234.

An Act

For the relief of John M'Elroy in courts of Westmoreland county.

WHEREAS, John M'Elroy, of Westmoreland county, made, on the seventeenth day of September, Anno Domini one thousand eight hundred and sixty, an instrument in writing assigning and transferring his property, real, personal and mixed, to certain trustees therein named, for certain charitable purposes, reserving for himself therein an amount sufficient to secure for himself a comfortable maintenance :

And whereas, The said M'Elroy has been unable to have an account from said trustees, or to secure from them a sufficient sum to provide him a comfortable maintenance ; therefor

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of*

That the court of common pleas of Westmoreland county shall have jurisdiction of proceedings to bring to a proper account, at the instance of John M'Elroy, the trustees to whom he assigned his property, real, personal and mixed, and such court shall give such remedy and relief, in the premises, as may be just and proper; and to secure such remedy it shall be lawful to serve personal process on such trustees outside of the jurisdiction of the said court of Westmoreland county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1235.

An Act

To repeal so much of a supplement to an act, entitled "An Act incorporating the Bald Eagle, Nittany and Brush Valley Turnpike Company," approved April twenty-seventh, Anno Domini one thousand eight hundred and seventy-one, as increases tolls in the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled "A supplement to an act, entitled 'An Act incorporating the Bald Eagle, Nittany and Brush Valley Turnpike Company,'" approved April twenty-seventh, Anno Domini one thousand eight hundred and seventy-one, as authorizes an increase of tolls in such parts of said turnpike as are within the county of Centre, be and the same is hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1236.

An Act

To extend to Mrs. Hannah Sheely, of West Providence, Bedford county, Pennsylvania, widow of Andrew Sheely, a soldier of the war of one thousand eight hundred and twelve, the benefits of the acts of assembly of the thirtieth of March, one thousand eight hundred and sixty-six, and supplement thereto, of the twenty-fourth of March, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act of assembly of the thirtieth of March, one thousand eight hundred and sixty-six, and supplement of the twenty-fourth of March, one thousand eight hundred and sixty-eight, be and the same are hereby extended to Mrs. Hannah Sheely, of Bedford county, Pennsylvania, widow of Andrew Sheely, a soldier of the war of one thousand eight hundred and twelve.

Provisions of certain acts extended to.

SECTION 2. The auditor general is hereby directed to adjust this claim on the application and proofs now on file in his office: *Provided,* That when the general government shall provide by law for pensions to the soldiers of the war of eighteen hundred and twelve, then the pension hereby granted shall cease.

Auditor general to adjust claim.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1237.

An Act

To repeal an act, entitled "An Act to authorize the road commissioners of Mill Creek township, in the county of Erie, to compel the owners of land fronting on the Ridge road, to make side-walks and straighten and open out said road."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the act, entitled "An Act to authorize the road commissioners of Mill Creek township, in the county of Erie, to compel the owners of land fronting on the Ridge road to make side-walks and straighten and open out said road," approved the tenth day of April, Anno Domini one thousand eight hundred and sixty-seven, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1238.

An Act

To authorize the managers and directors of the Indiana Gas Light Company to transfer its franchises.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the managers and directors of the Indiana Gas Light Company, with the consent of the subscribers to the stock, are hereby authorized and empowered to transfer the franchises of the said company to such individual, firm or company as they may agree with; and the individual, firm or company, to whom the same may be transferred, shall have, possess and enjoy all the powers, privileges and franchises conferred by the act incorporating said company, and be subject to all the limitations, conditions and restrictions contained in the same: *Provided*, That the individual, firm or company, to whom said transfer may be made, may at his or their option reduce the number of managers and officers, or dispense with the same altogether: *And provided also*, That the managers of said company shall have authority to make a contract with the individual, firm or company to whom the transfer as aforesaid may be made, as to the price of gas to be furnished the citizens, corporations or others, which contract shall be binding, and in no case shall the consumer be required to pay a greater sum for gas than that stipulated in said contract.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1239.

An Act

Entitled "A further supplement to a supplement to an act, entitled 'An Act for the organization, regulation and discipline of the militia of the commonwealth,' approved May fourth, Anno Domini one thousand eight hundred and sixty-four," and approved April seventh, Anno Domini one thousand eight hundred and seventy, relating to Lebanon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That every commissioned, non-commissioned officer, musician and private of each and every uniformed company, shall be exempt from acting as a juror during such service.

Officers and privates in militia companies exempt from jury service.

SECTION 2. That the proper discharging officer, under section fourteen of the act to which this is a supplement, shall be the company commander, whose certificate of discharge, approved by the commanding officer of the regiment, battalion or squadron to which such company is attached, if not an independent organization, shall be good, sufficient and valid for all its intents and purposes.

Company commander to be discharging officer.

SECTION 3. That the county treasurer shall pay the militia tax collected by law, in such manner and in such proportions as are prescribed by the act to which this is a supplement, except that the fund so disbursed shall not exceed eighteen dollars per man per annum; the officer drawing thereon shall, on the first day of November, in each and every year, render to the adjutant general of the state accounts, accompanied by the proper vouchers, showing the manner in which the same has been disbursed.

Payment of militia fund by county treasurer, relative to.

SECTION 4. Each member of a volunteer company shall be entitled to the sum of eighteen dollars for furnishing himself with a uniform of any pattern adopted by the company to which he may belong; said uniform to be paid for out of the brigade fund: *Provided*, That in case the fund should become exhausted, the company or companies first organized shall be entitled to the pro rata sum specified in this section, until all such amounts shall have been paid.

Members of company entitled to eighteen dollars for uniform.

Proviso.

SECTION 5. In case there shall be no military funds in the hands of the treasurer of said county of Lebanon, for the present purposes of this act, then the said treasurer is hereby required to take of any moneys in the treasury unappropriated, to defray any expenses incurred under this act, or any payments to be made in accordance with its provisions, and upon the collection of the militia fines, to reimburse the county treasury therefrom.

In case of no military funds in treasury, payments to be made from other funds.

SECTION 6 This supplement shall apply only to Lebanon county.

Act applicable to Lebanon county.

Repeal.

SECTION 7. All acts or parts of acts inconsistent herewith are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1240.

An Act

Authorizing Mrs. Elizabeth Dougherty to convey real estate and act as a *feme sole*.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Mrs. Elizabeth Dougherty, of Venango City borough, Venango county, be and she is hereby authorized to convey any and all real estate in this commonwealth, in which she may have any interest, in fee simple or otherwise, as fully, by deed lawfully signed and acknowledged by her alone, as if she had no husband living, and in all respects, in regard to her personal and real estate, to carry on business as if she were a *feme sole*.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1241.

A Further Supplement

To the act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four, so far as relates to the county of Adams.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where school directors, supervisors or other township officers, or committee mentioned in the act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four, and the several supplements thereto, have incurred and paid any necessary expenses in traveling or otherwise incident to the filling of the quotas of their respective townships, in addition to the bounties provided by said act, such expenses shall be allowed in settlement of their account by the auditors, or any court having jurisdiction, after appeal taken, in like manner as if expressly mentioned and provided for in said act; *Provided,* That this act shall only apply to the county of Adams.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1242.

An Act

To incorporate the West Pittston Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Law, David S. Stark, John T. Everhart, Thomas Ford, Theodore Strong, E. O. Coray and Thomas Nichols, and their associates and successors, are hereby created a body politic and corporate, by the name, style and title of the West Pittston Water Company, and by that name shall have perpetual succession, and shall in law be capable of suing and being sued, pleading and being impleaded in courts of law and

Corporators.

Name.

Powers and privileges.

equity, and of contracting and being contracted with relative to the business of the corporation, and may have a common seal, and the same alter and renew at pleasure, and acquire and hold, in fee simple or a less estate, such lands and interests in lands as may be necessary or convenient for carrying on the business of the said corporation; and for the government of the affairs of the said corporation, its board of directors may, from time to time, enact such by-laws as they for that purpose shall deem necessary, the same not being contrary to the constitution and laws of this state, or the constitution and laws of the United States.

Capital.

SECTION 2. The capital stock of said company shall be twenty thousand dollars, to be divided into shares of twenty-five dollars each, and books of subscription therefor shall be opened by the directors hereinafter named, subject to such rules and regulations as they shall prescribe; and the stock shall be considered personal property, and shall be assignable and transferable on the books of the company.

Annual election of directors.

SECTION 3. That the stockholders shall annually, at such day and place as the by-laws may designate, elect seven directors to manage the affairs of the said company, who shall serve for one year, and until their successors are elected; and the persons above named shall be the first board of directors, and they and each succeeding board of directors shall elect a president from among their number, and also appoint and remove such other officers and agents as the interest of said company may require, and have power to fill any vacancy or vacancies that from time to time by death, resignation or otherwise may happen in their own number; and in all elections each share of stock shall be entitled to one vote.

First board.

Officers and agents.

Vacancies.

Failure to pay instalments, relative to.

SECTION 4. That if any subscriber to the stock of the corporation shall refuse or neglect to pay any assessment or instalment called for by the said company, at the time and place appointed, and the same shall remain unpaid for the period of thirty days, he shall, in addition to the instalment called for, pay interest thereon at the rate of one per centum per month, and the company may sue for and recover the said instalment and interest thereon, or forfeit the amount already paid by said delinquent subscriber, as the board of directors of the said company may choose or elect.

Authorized to erect works.

May hold real estate, take water from springs, &c.

SECTION 5. That the company shall have power to provide, erect and maintain all works and machinery, engine and apparatus, and do any other act or thing necessary or proper for procuring, raising and introducing into the borough of West Pittston, in the county of Luzerne, a sufficient supply of water, and for that purpose may acquire and hold any real estate, and may take the water from any springs, ponds, fountains or streams, and divert and convey the same to the said borough, and may provide, erect, construct, lay and maintain all proper and convenient buildings, cisterns, reservoirs, pipes, conduits, aqueducts, wells or other work or machinery necessary or proper for the reception or distribution of water, and may, by its officers, agents, engineers and workmen, with their tools, wagons, carts, beasts of draft or burden and implements, enter upon such lands and enclosures, streets, lanes, alleys,

roads, highways and bridges as it may be necessary to use or occupy for the purpose aforesaid, or to obtain materials for the construction of their works, and may occupy, ditch and lay pipes through the same, and their works from time to time repair, avoiding unnecessary damage or obstruction to streets, alleys and highways, and impairing the free use thereof as little as possible, and being at all times subject to such regulations as the councils of said borough may necessarily adopt to secure the protection and convenience of public travel over the same; and if any injury be done to private property, the said company shall make compensation therefor or give security for such compensation according to the provisions of the eleventh section of the act, entitled "An Act regulating railroads," approved February nineteenth, one thousand eight hundred and forty-nine; and within the bounds of the said city the said company shall not lay or construct pipes, conduits, aqueducts or other works through any private garden, court, yard without the consent of the owner thereof first had and obtained.

May enter upon lands to obtain materials, lay pipes, &c.

Damages.

SECTION 6. That if any person or persons shall open a communication into the water main or other pipe of the said company without authority from the inspector or authorized agent for said company, or shall let on the water after the same shall have been stopped by order of said inspector or authorized agent of said company for repairs or any other cause or purpose, or shall put up any hydrant or hydrants, pipe or pipes in addition to those originally put up and inspected, and introduce into them water without authority, as aforesaid, he, she or they shall be subject to a penalty of not less than ten nor more than one hundred dollars, recoverable before any justice of the peace of the proper county, as debts of like amount are by law recoverable, one-half to be paid to the informer and one-half to the company; but the said company may, without or with the informer, be plaintiff, and when the informer is not plaintiff on the record or in the suit, one-half part of the recovery shall be to his use.

Penalty for opening pipes, turning on water without authority, &c.

SECTION 7. That if any person shall wilfully or maliciously do, or cause to be done, any act or acts whatever whereby any building, construction, reservoir or works of said company, or water therein, or water pipes or any matter or thing pertaining to the same, shall be destroyed, injured, contaminated, stopped or obstructed, the person or persons so offending shall be guilty of a misdemeanor, and may therefore be indicted in the court of quarter sessions of the proper county, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not, in any way, impair the right of said company to a full compensation in damages by civil suit.

Penalty for injuring works, &c.

SECTION 8. The capital stock of the said company may be increased from time to time by the board of directors of said company; and the said company may borrow money at such time or times, in such amount or amounts, and at such rate of interest, not exceeding eight per centum, as the directors

Increase of capital.

May borrow money.

shall deem necessary, and any sum or sums of money borrowed may be secured by mortgage or mortgages, pledge or pledges, of the property, effects and franchises of the said company or any part thereof, alone, or with bonds with or without coupons, or as may be agreed: *Provided*, That no bond or note of the said company shall be made for a less amount than one hundred dollars, and that the aggregate amount of the debts owing by the said company shall at no time exceed the amount of its capital stock then paid up: *And provided further*, That no increase of the capital stock of the said company shall be made unless stockholders, owning a majority of the stock of the said company already subscribed, shall, in writing, have consented thereto, being in no wise in default as to the payment of any instalment before required to be paid.

May establish rates and prices for water furnished.

SECTION 9. That said company, with any person or persons, body or bodies corporate with the said company, may agree and contract for water when to be furnished by the said company, and the said company may fix and establish rates and prices to be paid for water to be by it furnished, and collect the same as debts now are or hereafter may be by law collected, and may begin to furnish and receive pay for water when the works of the said company have so far progressed that it shall have been introduced within the limits of the said borough, and may also from time to time declare dividends out of the net profits to it accruing: *Provided*, That such part of the said works of the said company as may be by the directors deemed advisable, shall be done from time to time, and the company shall have as full powers over the work completed as though it had furnished the whole work contemplated by this act; and that the said company shall pay into the state treasury a tax of one-half of one per centum upon its capital stock, in four equal annual instalments.

Dividends.

Tax to state.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1243.

A Further Supplement

To an act, entitled "An Act to incorporate the Saving Fund Society of Germantown and its vicinity," approved the sixth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That whenever the assets of the Saving Fund Society of Germantown, and its vicinity, shall exceed the liabilities thereof, including the interest required to be paid to depositors, by article four of the second section of the act to which this is a supplement, by more than ten per centum of the amount of deposits and interest accrued thereon, it shall be competent for the board of managers of said saving fund society to distribute any part of such surplus fund among depositors, whose accounts shall remain open at the date of such distribution, in proportion to the interest earned by their several deposits during the term for which such distribution or dividend shall be declared: *Provided*, That the excess of assets over liabilities, as defined above, shall not thereby be reduced below ten per centum of the amount of deposits and interest accrued thereon at date of such distribution.

Managers may distribute surplus funds among depositors.

SECTION 2. That until the board of managers of said saving fund society shall be reduced in number to fifteen members, it shall not be required of said board to fill vacancies therein, as they may occur, by death, resignation or otherwise; but thereafter said board shall consist of fifteen members, and vacancies shall be filled in accordance with the act to which this is a supplement.

No vacancies to be filled until managers be reduced to fifteen.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1244.

An Act

To authorize the erection of a lock-up in the village of Wyoming, Kingston township, Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the road commissioners of the township, in the county of Luzerne, be and they are hereby authorized, empowered and required to furnish materials and build, or otherwise provide and support, in the village of Wyoming, in said township, a suitable building for the security and temporary detention of persons committed by justices of the peace of said township, for any violation of the laws of this commonwealth, and breaches of the peace and good order, for which

Road commissioners to provide and support lock-up house.

such person or persons could be lawfully committed to the common jail or prison of said county, there to remain and be kept until such offender or offenders can be removed to the common jail or prison of said county, if committed for an indictable offence: *Provided*, That no person shall be confined in said lock-up or building at any one time for a period longer than forty-eight hours, except such persons be charged with an indictable offence, and it be necessary to detain such person or persons for a further examination.

Confinement in
lock-up, limited

May appoint
keeper.

SECTION 2. That the said road commissioners, or a majority of them, shall have power to appoint a proper person to keep the said lock-up, and they are hereby empowered to pay such person for such services, what they may deem just and proper, out of the funds of said township.

Powers of Jus-
tices of the
peace.

SECTION 3. That the justices of the peace of said township of Kingston shall have the same powers and authorities now delegated and given by law to burgess of boroughs in this commonwealth, to punish, by fine and imprisonment, any violations of the public peace, and particularly drunkenness, obscene language and conduct, hooting, yelling, profanity, violence and abusive language, fighting, fast and improper driving of horses, and acts of like character.

Police officers.

SECTION 4. That the justices of the peace of the said township of Kingston shall appoint four persons to act as police officers for said township, who shall reside in the village of Wyoming, which said officers shall have the same power and arresting now conferred by law upon police officers in the boroughs of this commonwealth for authority and detaining offenders against law and good order; the said police officers may be removed and others appointed in their place at the will of the said justices.

Fines.

SECTION 5. That the fines imposed upon offenders, when collected, shall go to and be paid to the treasurer of the road commissioners of Kingston township, to reimburse said township for the expense of building, providing and maintaining said lock-up; and the fees of the justices and other officers under this act shall be the same as now allowed by law to justices and constables.

Fees.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1245.

An Act

Regulating the salary of the treasurer of Carbon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of January, Anno Domini one thousand eight hundred and seventy-two, the treasurer of the county of Carbon shall be entitled to have and receive, in lieu of the compensation now allowed by law, a stated and fixed salary of ten hundred dollars per annum, in addition to the compensation now received by him for the collection of moneys due to and for the use of the commonwealth; and the forty-first section of an act of assembly, approved the fifteenth day of April, one thousand eight hundred and thirty-four, so far as relates to the county of Carbon, as is inconsistent with this act, be and the same is hereby repealed.

Treasurer to receive salary.

Amount.

Repeal.

SECTION 2. That hereafter the fees of the said treasurer on the sale of unseated lands for taxes shall be as follows: Advertising each tract or part of a tract, including printer's charges, one dollar; selling each tract or part of a tract, seventy-five cents; writing and signing every deed, two dollars; acknowledging every deed, fifty cents; writing and filing every bond to secure the purchase money, fifty cents.

Fees on sales of unseated lands.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1246.

An Act

For the relief of Edward R. Biddle.

WHEREAS, By an act of the legislature of the commonwealth of Pennsylvania, approved April tenth, Anno Domini one thousand eight hundred and fifty, commissioners were appointed to sell the Franklin railroad, situated in the county of Franklin:

And whereas, The said commissioners did afterwards sell the said railroad, its franchises and privileges, to Edward R. Biddle, in pursuance of the provisions of the act aforesaid :

And whereas, The legislature of Pennsylvania, by the act approved the ninth day of April, Anno Domini one thousand eight hundred and fifty-six, and for the reason set forth therein, did resume, for the use of the said commonwealth, all the rights and privileges of the said Franklin Railroad Company, and by the act of the twelfth day of May, Anno Domini one thousand eight hundred and fifty-seven, did appoint commissioners to sell the same :

And whereas, The said commissioners did subsequently sell and convey the said Franklin railroad, its rights, privileges and franchises, to James J. Dull, and after deducting the expenses of sale, et cetera, the balance of the purchase money of the said road, which was the property of the said Edward R. Biddle, to wit: The sum of five thousand one hundred and sixty-six dollars and twenty-four cents, was on the seventeenth day of July, Anno Domini one thousand eight hundred and sixty, credited to the commonwealth of Pennsylvania in the settlement of a claim which the said James J. Dull held against the commonwealth, as appears by the records on file in the office of the auditor general :

And whereas, In right and justice the said sum of five thousand one hundred and sixty-six dollars and twenty-four cents, with interest from the said seventeenth day of July, Anno Domini one thousand eight hundred and sixty, should be paid over to the said Edward R. Biddle, the same being the proceeds of the sale of his property taken from him without authority of law; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer and secretary of state are authorized and required to examine the claim of Edward R. Biddle, for a balance claimed as due him by the commonwealth from the sale of the Franklin railroad, and to find to whom the money is due, if any; and the auditor general upon an examination of said claim shall certify that the same is justly due from the commonwealth, and issue his warrant upon the state treasurer, who shall pay the same.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1247.

An Act

To incorporate the Wilkesbarre and Inman's Hill Passenger Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That L. D. Shoemaker, W. W. Ketcham, John Stewart, J. C. Phelps, Benjamin F. Pfouts, Reuben Downing, G. M. Miller, Frank Turner, H. B. Payne, Isaac Livingston, Harry Hakes, J. M. Courtright, Charles Scott, E. S. Osborne, W. Lee, Junior, C. A. Miner, A. Bertels and J. R. Coolbaugh, their associates, successors or assigns, or a majority of them, be and are hereby constituted a body politic and corporate, with perpetual succession, by the name, style and title of the Wilkesbarre and Inman's Hill Passenger Railroad Company.

SECTION 2. That the said company shall have the right to lay out and construct a railroad, to be operated by horse power, with one or more tracks, from any point in the borough of Wilkesbarre to Inman's Hill, at or near the residence of Alvin Dilly, in the township of Hanover, and thence to any point in the town of Nanticoke, in the county of Luzerne, by any route between said points that may be deemed advisable, and to make from time to time one or more branches, from any point or terminus, not exceeding five miles in length, with the right to occupy at any time as many of the streets as may be desirable in the borough of Wilkesbarre, or any public road along said route; and said company, in constructing their said railroad, shall conform to the grades of the several streets, and shall keep so much of said streets or roads in perpetual repair as shall be used by said company: *Provided*, The said Wilkesbarre and Inman's Hill Passenger Railroad Company shall not have the right nor privilege to locate upon nor occupy the route, nor any portion of the route, granted to the Shawnee Railroad and Bridge Company, by an act to incorporate the Shawnee Railroad and Bridge Company, approved April fifteenth, one thousand eight hundred and sixty-nine, nor upon River street, north of South street, or the commons adjoining said River street: *And provided further*, That before occupying any of the streets in said borough of Wilkesbarre, the consent of the councils, or the property owners of three-fourths of the frontage along that portion of the street or road to be occupied, must first be obtained.

SECTION 3. That the said company shall have the right to cross with their track at grade, or connect with any railway now constructed, or that may hereafter be constructed, and make use of any public bridge or the sides or centre of any public road.

SECTION 4. That the capital stock of said company shall not exceed five hundred shares of one hundred dollars each,

- with privileges of increasing the same from time to time as the directors may determine; said company shall also have the right to borrow money to an amount which, with the capital stock subscribed, will complete and equip said railroad, and to issue bonds, with or without coupons, in sums not less than one hundred dollars, payable at such times and on such terms, and at such rate of interest, as they may deem proper, not exceeding eight per centum per annum, and may secure the payment thereof by a mortgage or mortgages upon said railroad, its property, tolls and franchises, or any part thereof, or its branches, and may issue a preferred stock, subject to such terms and conditions as the directors and the purchasers may agree upon.
- By-laws.** SECTION 5. That the directors of said company (who must be stockholders) shall have power to make such by-laws as they may deem suitable to carry out the objects of the corporation and the government of the same, to alter, amend, add to or repeal at their pleasure, and to adopt a common seal, and to alter the same: *Provided*, That the said by-laws shall not be contrary to the constitution and laws of the commonwealth of Pennsylvania or of the United States.
- Election of directors.** SECTION 6. That the corporators named in this act, or a majority of them, shall elect persons to serve as directors of the company, of such number and at such times as they may deem proper, who shall hold their office until their successors are elected in accordance with the by-laws; the directors shall elect a president, treasurer, secretary and such other officers of the company from their number, as may be deemed expedient and necessary.
- Officers.**
- Votes.** SECTION 7. That all elections and general meetings of the stockholders of said company each stockholder may, in person or by proxy, cast one vote for each share of the capital stock by each stockholder then held and owned, for which he shall hold a certificate of the company.
- May purchase real estate, erect buildings, &c.** SECTION 8. That said company shall have the right to purchase such real estate, and erect such buildings and improvements thereon, and purchase such necessary cars, horses and equipments as may be deemed necessary and convenient for the purposes of said company.
- Damages.** SECTION 9. That when damages cannot be agreed upon by said company, and the owners of lands and materials along the line located for said railroad, the same shall be settled in the manner provided by the act regulating railroads, and the supplements thereto.
- Reports and taxes.** SECTION 10. Said company shall make the same reports and pay the same taxes to the commonwealth as if incorporated under the general railroad law.
- Other companies may subscribe to stock or endorse bonds.** SECTION 11. That any incorporated company shall have power to the stock of said company, or to purchase or endorse the bonds of said company, and shall be represented at the meetings and elections of said company by such persons as may be designated by the governing power of such subscribing or endorsing corporations.
- May use sections of one mile when completed.** SECTION 12. That whenever any section of one mile shall be completed, the said company may use, employ and enjoy

the same in the same manner as when the entire length thereof shall be constructed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1248.

An Act

To increase the pay of associate judges of the recorder's court of the city of Scranton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in lieu of the fees now allowed by law, the assistant recorder of the mayor's court for the city of Scranton shall receive the same pay and be paid after and from January first, eighteen hundred and seventy-one, in the same manner as the law now provides for the payment of the fees of the associate judges of the courts of common pleas of the courts of this commonwealth; all acts or parts of acts inconsistent herewith, be and the same are hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1249.

An Act

To incorporate the Williamsport Lumber Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That Charles Hebard, of Williamsport, Pennsylvania, and such persons as may associate with him, and their successors and assigns, be and they are hereby authorized to be and form a body corporate, under the name and style of the Williamsport Lumber Company, and to have the same rights and privileges as are contained in an act incorporating the Continental Improvement Company, approved thirteenth April, Anno Domini eighteen hundred and sixty-eight.

Name.

Powers and privileges.

Office. SECTION 2. The principal office of said company to be in the city of Williamsport, Pennsylvania.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1250.

In Act

To incorporate the People's Cemetery Company of Western Pennsylvania.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Hostetter, William Bissell, Jared M. Brush, Theodore Tack, James M. Bell, John C. Barr, Henry Warner, Geo. S. Reis, Rev. John Douglass, William Smith, William A. Tomlinson, Andrew Lyon, Robert Phillips and John H. Page, and their successors, are hereby created a body corporate, by the name, style and title of the People's Cemetery, and by that name shall have perpetual succession, and shall be capable in law to have and use a common seal, and from time to time to alter or change the same, to sue and be sued, plead and be impleaded in all courts of law and equity, to ordain, pass and put in execution all such laws and rules, regulations, not contrary to the constitution and laws of the United States or of this commonwealth, as shall be necessary or convenient for carrying into effect the objects of this company, and generally to do all such other matters and things as are incident to a corporation.

Name.

Corporate powers.

Vacancies and membership. SECTION 2. That the corporation shall, on organization, and at least once in every year thereafter, fill by election by ballot all vacancies which may occur among them, and may at the same time or other times, increase and add to their number

from those who may be lot-holders in the cemetery, so that the said company shall never be reduced to less than ten nor exceed forty members.

SECTION 3. That the government of the said company, and the management of its affairs, is hereby vested in seven trustees, who shall be elected annually by the said corporators from their number, one of whom shall be designated as president, and a secretary and treasurer, who shall make a report of their proceedings and a statement of the finances at the annual meetings of the corporators, and as much oftener as may be required by a majority of them, the said corporators, and by such other officers as said corporation by its laws may require.

SECTION 4. That the said corporators or trustees shall have power to purchase, for the purpose of a rural cemetery, a tract of land in Western Pennsylvania, not less than one thousand acres, and to issue bonds to be used in the payment of the same, to amount not exceeding fifteen hundred dollars per acre, which bonds shall bear interest at a rate not exceeding eight per centum per annum, and redeemable within twenty years from the date thereof; and it shall not be lawful hereafter to lay out, open or extend any road or highway in, through or upon such lands so set apart or held for cemetery purposes without the consent of the said corporation; and while such lands shall be so reserved and held for purposes of sepulture, it shall not be subject to taxation.

SECTION 5. That the said corporation shall have power to lay out, ornament, divide, sub-divide and arrange said ground into lots, plots, avenues, lanes, sites for offices and dwellings for its necessary officers or servants, chapel for religious obsequies, dead house, vaults, et cetera, as shall be deemed needful to render the said cemetery convenient and attractive; and to sell and convey by deed or otherwise such lots, plots, et cetera, for purposes of sepulture, to individuals, societies or congregations, under and subject to such conditions, rules or regulations for the government of lot-holders, visitors, burying the dead, ornamenting or improving the lots and so forth, as the said company by its laws from time to time direct and establish: *Provided*, That the lots granted by said corporation for burial purposes shall not be used for any other purpose, and that they shall be forever free and exempt from seizure and sale under and by virtue of any execution, attachment or otherwise against any grantee or grantees of said corporation.

SECTION 6. That the said corporators or the said trustees, after their election, shall have the power to appoint all other officers, agents and workmen which may be needful, and fix their compensation or wages, and the same discharge at pleasure, to take from the treasurer security for the faithful performance of his trust, and to discharge him from his office upon occasion therefor; and that the said trustees shall keep fair minutes of all their acts and doings.

SECTION 7. That any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument or grave-

Government.

May purchase lands for cemetery.

Issue bonds.

Opening of roads through lands, prohibited.

Exempt from taxation.

May ornament, divide and arrange cemetery grounds, &c.

Lots exempt from sale under execution.

May appoint officers, agents, &c.

Penalty for destroying monuments, injuring fences, &c

stone, or other structure placed in the aforesaid cemetery, or any fence, railing or other work for the protection or monument of said cemetery, or any dwelling house, chapel, office or other building erected on the ground of said corporation, for the use or convenience of the same, or any lot within the cemetery aforesaid, or shall wilfully destroy, cut, break or injure any tree, shrub or plant within the limits of said cemetery, shall be deemed guilty of misdemeanor, and upon conviction thereof, before any magistrate or court of competent jurisdiction, be punished by a fine of not less than five or more than five hundred dollars, and by imprisonment in the county jail of not less than one nor more than ninety days, according to the nature and aggravation of the offence; and every such offender shall also be liable, in an action of trespass in the name of said corporation, to pay all such damages as may be occasioned by his unlawful act or acts, which money, when recovered, shall be applied, under the direction of the trustees of said corporation, to the restoration or reparation of the property injured or destroyed.

Evidence of original conveyance of lots.

SECTION 8. That the original conveyance of the lots from the corporation to individuals may be evidenced either by deeds or by certificate, signed by the president and countersigned by the secretary or treasurer of the board of trustees, as, by the rules and regulations or by-laws shall be required; and such deed or certificate, specifying that such a person is the owner of such a lot or lots, shall vest in the proprietor, his heirs and assigns, a right, in fee simple, to such lot or lots exempt from execution, attachment, taxation or any other claim, lien or process, for the sole purpose of interment under the regulations of the corporation, and said certificates shall have the same force and effect as deeds duly executed in other cases, and may be recorded, and certified copies thereof shall be evidence as in other cases; and said lots or such portions thereof as may be prescribed by the trustees, and with their assent, may be conveyed by deed in due form of law for the sole purpose of interment as aforesaid.

Trustees to provide fund for maintenance of cemetery.

SECTION 9. It shall be the duty of the trustees, out of all the proceeds of sale of burial lots, to create a fund to be invested in government or state securities, ground rents or mortgages, (the income whereof shall be of adequate amount,) and to be applied as may be necessary for the perpetual maintenance of the cemetery: *Provided*, That none of said corporators or their successors shall ever derive any personal profit from said cemetery; but the whole of the assets, from whatever source derived, shall be applied to the payment of the cost of the ground, the improvement of the cemetery and for its perpetual maintenance.

May sell ground

SECTION 10. That the said trustees or corporators shall have full power to sell or dispose of, either at public or private sale, so much of the ground purchased by them for burial purposes as may be impracticable to sell for burial lots, to be applied as provided in ninth section, anything hereinbefore contained to the contrary notwithstanding.

SECTION 11. That the members of this corporation shall not

thereby be prevented from testifying in any case at law to which said corporation shall be a party. Members may testify.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1251.

A Further Supplement

To an act to organize the Middle Coal Field poor district, approved the twenty-fifth day of March, Anno Domini one thousand eight hundred and sixty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That at the next general election, and annually thereafter, a treasurer of the board of directors of the Middle Coal Field poor district shall be elected by the people of said district, who shall perform all the duties, and be subject to all the obligations now provided by the act approved April twenty-sixth, one thousand eight hundred and fifty-five, entitled "An Act to provide for the erection of a house for the employment and support of the poor for the county of Carbon," and the several supplements thereto, and also of the act, approved March twenty-fifth, one thousand eight hundred and sixty-two, incorporating the Middle Coal Field poor district; the said election shall be conducted in the same manner as is now provided by law in the case of directors of the poor in said Middle Coal Field poor district.

Treasurer of
poor district to
be elected.

SECTION 2. That all cases of contested elections of any officers whose election is provided for by the act to which this is a supplement, shall be conducted and proceeded in to final judgment in the same manner as now provided by law in the case of county officers: *And provided further,* That the court of quarter sessions of the peace of the county of Carbon shall have jurisdiction of all contested elections arising or which may arise under the provisions of this act.

Contested elec-
tions.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1252.

An Act

To reduce the enrolment tax on an act to incorporate the Baily's Station Rope Ferry Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the enrolment tax imposed upon an act to incorporate the Baily's Station Rope Ferry Company, approved the tenth day of February, one thousand eight hundred and seventy-one, be and the same is hereby reduced from fifty dollars to ten dollars: *Provided,* That no enrolment tax be imposed upon this act.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1253.

An Act

Relating to the fees of road commissioners and auditors in the township of Conneaut, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the third section of an act, entitled "An Act relating to fees of certain officers in the county of Erie," approved the twenty-first day of March, Anno Domini one thousand eight hundred and sixty-five, as relates to the fees of road commissioners and auditors in the township of Conneaut, in said county, be and the same is hereby repealed.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1254.

An Act

To change the mode of electing school directors in certain townships in the counties of Bradford and Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act school directors in Smithfield township, in the county of Bradford, and Apollorous and Franklin townships, Susquehanna county, shall be chosen by the electors of said districts in the manner following: Whenever an even number is to be chosen, each elector shall have the right to vote for one-half the number to be elected, and whenever an odd number is to be chosen, each elector may vote for a majority of the number to be elected, and the persons who shall receive the highest number of votes to the number to be chosen shall be declared elected, and of those persons elected, the ones receiving the highest number of votes shall hold their office for the longest term of years.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1255.

A Supplement

To an act, entitled "An Act to authorize the appointment of auctioneers in Luzerne county," approved April seventh, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter it shall be lawful for the governor of this commonwealth to appoint and commission three additional auctioneers for the city of Scranton, under and according to the provisions of the act to which this is a supplement: *Provided,*

That no more than two auctioneers shall be commissioned to do business in any one ward of said city.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1256.

An Act

To extend to Montour county the provision of an act relative to fees of justice of the peace, constables and attorneys at law in the counties of Westmoreland and Beaver, approved March twenty-second, Anno Domini one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senaté and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relative to fees of justices of the peace, constables and attorneys at law in the counties of Westmoreland and Beaver," approved March twenty-second, one thousand eight hundred and sixty-nine, be and the same is hereby extended to the county of Montour.

JAMES H. WEBB,
Speaker of the House of Representatives.
WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1257.

A Supplement

To an act concerning the opening of Mt. Pleasant and other streets in the Twenty-second ward.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the time within which the judges of the court of common pleas shall appoint the commissioners in conformity with the act of sixteenth December, one thousand eight hundred and seventy, for the assessing of damages, if any, in opening Mt. Pleasant and other streets in the Twenty-second ward, is hereby extended for three months from the passage of this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1258.

An Act

Relative to plans of survey and regulation in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of surveyors of the city of Philadelphia, as elected and constituted under acts of assembly, be and the same are hereby invested with full authority to examine and finally confirm or reject all plans of surveys or revisions of plans of the city of Philadelphia when the same have been made by direction of the select and common councils of the said city; and for the purpose of enabling the said board to carry out the intent of this act they are hereby authorized, through their presiding officer, to administer oaths and affirmations and hear testimony, and shall use a seal for all official papers.

Board of surveyors authorized to examine and revise plans of city made by councils.

SECTION 2. No plan for survey or regulation, or a revision of either or both, shall be finally acted upon by the said board of surveyors until public advertisement shall have been made in three of the public newspapers in the city of Philadelphia, six times in each during the thirty days immediately preceding the proposed action, and that handbills be posted upon and throughout the area covered by the plan to be considered, giving notice of a hearing thereof for at least thirty days prior to said hearing; and that upon the confirmation of any plan of surveys and regulations by the said board of surveyors, the seal of the board shall be affixed thereto and attested by the presiding officer; said confirmation to be final and conclusive without appeal.

Plans not to be finally acted on until notice is given.

SECTION 3. No street shall hereafter be added to any confirmed plan of the city of Philadelphia, and called a public

No street to be added to plan of city until approved.

Appeal to court.

Widening of streets.

street, until the same shall have been approved by the board of surveyors as to location, width and grades, and shall extend from street to street as a thoroughfare: *Provided*, That an appeal may be taken to the court of quarter sessions of the city and county of Philadelphia at any time within three months after said board of surveyors shall have finally confirmed any plan as aforesaid, when said court may, after a hearing, confirm said plan as submitted or remand it back to the board of surveyors for re-consideration and revision.

SECTION 4. That whenever a petition asking for the widening of any street in the city of Philadelphia shall be signed by a majority of the owners of property, or the owners of a majority of feet front, fronting on one side of said street, and shall be submitted to the board of surveyors of the said city they shall examine into the expediency of granting the petition as asked for; and if approved by them the said street shall be widened upon the side on which the property of the said petitioners may be located, in accordance with the existing laws relative to the opening of streets in said city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1259.

A Supplement

To an act relative to the Luzerne county prison and to discharged convicts, approved thirteenth April, Anno Domini one thousand eight hundred and sixty-eight.

Duty of keeper and assistants.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the keeper of said prison, his assistant keepers, and any tipstaff detailed by the court of quarter sessions of Luzerne county for that purpose, or any of them, to take charge of the prisoners confined in said prison awaiting trial, or held for other causes, and produce such prisoners before the court when required for that purpose, to continue that charge while the prisoners are in court, and to return them to their confinement in said prison when remanded by the court; and that the fees heretofore allowed to the sheriff

Fees.

of Luzerne county for services in criminal causes shall be allowed and paid to the keeper of said prison, for the use of the county of Luzerne, to assist in defraying the expenses of said prison, and in taking charge of prisoners as herein provided.

SECTION 2. That whenever any person is sentenced by any of the courts of the county of Luzerne to confinement in said prison and to pay any penalty, fine and costs, or shall be sentenced only to payment of a penalty, fine or costs, such penalty, fine and costs shall be paid to the clerk of the court of quarter sessions of said county, who shall receipt the same upon the record, for the use of the parties entitled to the same; and where a bond or other security is required to be given, the same shall be given to the keeper of the said prison, in the name of the county of Luzerne; and such bond or security, if not paid when due, shall be placed in the hands of the commissioners of Luzerne county, who shall proceed to collect the same; all moneys collected under the provisions of this section by the said keeper or commissioners shall be paid into the treasury of the county, and be paid out on orders drawn by the commissioners aforesaid.

Fines and costs to be paid to clerk of quarter sessions.

To whom bonds to be given.

Bonds to be placed in hands of commissioners for collection.

SECTION 3. That it shall be the duty of the auditors of the county of Luzerne to audit, annually, all the moneys received from penalties, fines and costs, in the same manner that other accounts of the county are audited, and make a statement of the same in the general statement of their audit.

Duty of auditors.

SECTION 4. That if the commissioners of the said prison find it unprofitable and impracticable to employ the prisoners in said prison at labor upon the separate and solitary system, they may employ the same on the congregate system while engaged at labor, and when not so engaged at labor, the confinement of the prisoners shall be separate and solitary, as required by law.

Prison commissioners may employ convicts on congregate system.

SECTION 5. That the prison commissioners of said Luzerne county prison shall have full power and authority to remove from said prison to the State Lunatic hospital of Pennsylvania, any convict or other person who may become or be insane while in confinement in said prison, upon the certificate of the prison physician as to the fact of such insanity, and upon the order of the court of quarter sessions of said county, or by one of the judges thereof, directing such removal, who shall be kept and maintained in said hospital, at the cost of said county of Luzerne, until the expiration of the time or times of his imprisonment, and shall then be discharged and liberated therefrom; and in the event of restoration to sanity during his time of sentence, he or she shall be re-transferred to the said Luzerne county prison, there to serve out said sentence; and the said commissioners shall have full power and authority to remove and to deliver to the said hospital any and all insane persons ordered by the courts of Luzerne county to be there taken and kept.

Commissioners may remove insane prisoners to State Lunatic hospital.

SECTION 6. That each of the prison commissioners of said prison are hereby authorized and empowered to administer oaths to the prisoners in said prison, and to take their affidavits and depositions, in all cases where the same is required by said act to be done.

Commissioners may administer oaths.

salary.

SECTION 7. That the prison commissioners of said prison shall each receive a salary of fifty dollars per annum, or that rate, for their services while they continue in office and perform the duties thereof, which salary shall be paid them out of the county treasury.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The sixth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1260.

An Act

To aid the Indiana Normal school of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

After approval of location, school to receive \$5,000 annually for three years.

That whenever the trustees of the Indiana Normal school of Pennsylvania, located at Indiana, Pennsylvania, incorporated by an act approved March ———, Anno Domini one thousand eight hundred and seventy-one, shall obtain from the superintendent of common schools an approval of the location of said school, with regard to its becoming a State Normal school for the ——— Normal school district, and also of the places of the buildings, such superintendent shall issue, annually, during the three years next preceding the approval of this act, a warrant for five thousand dollars upon the state treasurer for money not otherwise appropriated, in favor of the trustees of said school; before, however, the board of trustees apply for the issue of the first warrant, they shall certify to the superintendent of common schools, under oath or affirmation, that the said school has a *bona fide* subscription fund for the erection of its buildings of at least twenty-five thousand dollars, and that there is expended in the erection of their building at least ten thousand dollars; and at the application for the second warrant, that there is expended an additional sum of fifteen thousand dollars since the preceding warrant was issued; and at the application for the third warrant, that there is expended an additional sum of five thousand dollars; and at the application for the fourth warrant, that there is expended an additional sum of five thousand dollars.

Board of trustee to certify certain facts before receiving warrants.

SECTION 2. That the said normal school shall have none of the privileges of the act establishing normal schools, ap-

proved the twentieth day of May, Anno Domini one thousand eight hundred and fifty-seven, until it is duly recognized as a state normal school, and that the state superintendent shall be invested with such authority over said school as he now exercises over the recognized normal schools of the state.

To have no privileges as a normal school until recognized by state superintendent.

SECTION 3. That the said normal school shall not be diverted from its designs of training teachers for the common schools for the commonwealth, without refunding to the state such moneys as it may receive under this act.

Not to be diverted from its design without refunding money received.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1261.

An Act

To authorize a change of grade on Sixth street, from Lehigh avenue to Allegheny avenue, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia be and they are hereby authorized and directed to revise and change the grade of Sixth street, from York street to Allegheny avenue, in city of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1262.

An Act

To authorize the councils of the city of Philadelphia to revise and change the grades of the streets of the Fifteenth ward of the city of Philadelphia, lying and being between Brown and Poplar streets, and between Twenty-fourth and Twenty-eighth streets; and also Adams street, between Rittenhouse and Harvey streets, Twenty-second ward.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the councils of the city of Philadelphia are hereby authorized and empowered to revise and change the grades of the streets of that part of the Fifteenth ward of the city of Philadelphia, lying and being between Brown and Poplar streets, inclusive, and between Twenty-fourth street and Twenty-eighth street, inclusive, and such other streets as may be affected thereby; and also Adams street, between Rittenhouse and Harvey streets, in the Twenty-second ward.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1263.

An Act

To incorporate the Manayunk Bank, located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles F. Abbott, James M. Preston, John W. Dixon, W. Anderson, J. R. Shelton, their proxies and their assigns, associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Manayunk Bank, to be located in the city of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatso-

Corporators.

Name.

Powers and
privileges.

ever, may have a common seal, may renew or alter the same, also may have the right to own and hold real estate and improve or dispose of the same at pleasure.

SECTION 2. The capital stock of said bank shall consist of five hundred shares, of the value of one hundred dollars each, with the privilege of increasing the same from time to time, by a vote of the directors, to an amount not exceeding five thousand shares, of like value per share; and when the capital stock is so increased the stockholders shall have the right to take the shares authorized by such increase at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscriptions to the capital stock, at such times and places as they may deem expedient; and when two hundred shares or more of said stock shall have been subscribed, and ten per centum thereon of the same paid in, the shareholders may elect a president and six directors to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve to be filled by the board.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, at such rates as may be agreed upon by the parties, and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or of the United States, and shall have power to require payments of any amount remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient

securities, at such rates of interest as may be agreed upon by said bank and the borrowers.

May be a financial agent.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable, literary, manufacturing, financial and religious institutions and corporations, and as financial agent of the state of Pennsylvania, and other states and city governments, and counties and districts, in the management of their business, and shall give security to such institutions, states and governments for the faithful performance of the duties if required.

Dividends.

SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank, to the stockholders, at such times and in such amounts as to them may seem proper.

Annual election

SECTION 9. The annual election for the president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; twenty days' notice, by publication in one or more daily newspapers, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Votes.

Notice.

Bonus and taxes

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as now or may hereafter be required by law; and this charter shall continue for twenty years.

Limitation.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1264.

An Act

Relating to legal proceedings by or against corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That in all proceedings in courts of law or equity of this commonwealth, in which it is alleged that the private rights of individuals or the rights or franchises of other corporations are injured or invaded by any corporation claiming to have a right or franchise to do the act from which such injury results, it shall be the duty of the court in which such proceedings are had, to examine, inquire and ascertain whether such corporation does in fact possess the right or franchise to do the act from which such alleged injury to private rights, or to the rights and franchises of other corporations, results, and if such rights or franchises has not been conferred upon such corporation, such courts, if exercising equitable power, shall, by injunction, at suit of the private parties or other corporations, restrain such injurious acts; and if the proceedings be at law, for damages, it shall be lawful therein to recover damages for such injury as in other cases.

Courts to inquire into the rights and franchises of corporations in certain proceedings at law.

May grant injunctions.

SECTION 2. When such legal proceedings relate to crossings of lines of railroads by other railroads it shall be the duty of courts of equity of this commonwealth to ascertain and define, by their decree, the mode of such crossing which will inflict the least practical injury upon the rights of the company owning the road which is intended to be crossed; and if in the judgment of such court it is reasonably practicable to avoid a grade crossing, they shall by their process prevent a crossing at grade.

Duty of courts in proceedings relative to railroad crossings

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The nineteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY,

No. 1265.

A Supplement

To an act to erect the borough of Pittston into a separate election district, approved the twenty-second day of April, eighteen hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Pittston, in Luzerne county, is hereby divided into six wards; all that portion of said borough lying between the north-east line of said borough and New street, with its extension to the Susquehanna river, shall constitute the First ward; all that portion lying between New street, with its extension to the river, and Parsonage street, with its

Borough divided into six wards.
First ward.
Second ward.

extension to the river, shall constitute the Second ward; all that portion lying between Parsonage street, with its extension to the river, and Mill street, with its extension to the river, shall constitute the Third ward; all that portion lying between Mill street, with its extension to the river, and the ravine at the Pennsylvania Coal Company's office, now known as the division line of the South and Middle wards of said borough, shall constitute the Fourth ward; all that portion lying between said ravine and Pine street, with its extension to the river, shall constitute the Fifth ward; all that portion lying between Pine street, with its extension to the river, and the borough line adjoining Jenkins township, shall constitute the Sixth ward.

Wards separate election districts.
Places for holding elections.

SECTION 2. The said wards are hereby erected into separate election districts, and the places for holding the elections in each ward shall be as follows: For the First ward, at the brick school house; for the Second ward, at the Central hotel; for the Third ward, at George Shellenberger's hotel; for the Fourth ward, at the town hall; for the Fifth ward, at the school house on Pine street; for the Sixth ward, at the school house on Welsh Hill.

Justices of the peace.

SECTION 3. That hereafter the said borough shall be entitled to three justices of the peace, as follows: One for the First and Second wards, one for the Third and Fourth wards, one for the Fifth and Sixth wards, and that each of such justices shall be a resident of and hold his office in the district for which he shall have been elected: *Provided however*, That the two justices now in commission in said borough shall hold their offices in the wards and for the term to which they have been elected.

Court to appoint receiver of taxes.

SECTION 4. The president judge of the courts of Luzerne county shall, annually, in May, appoint one person who possesses the qualifications of a senator of the commonwealth, and who has resided within the borough limits at least three years, to be denominated receiver of taxes, to serve for one year; the said receiver shall collect and receive all taxes, levies and public assessments payable and receivable within the limits of said borough for state, county, school, poor, borough and special purposes, and shall have and exercise all the powers now conferred by law upon collectors of school taxes within this commonwealth; he shall immediately upon the receipt of the several duplicates for the collection of such taxes, cause notices of the reception thereof to be posted up in five public places in each ward of said borough, and shall designate in such notice a central and convenient place on Main street, in said borough, where he will attend from nine o'clock forenoon till six o'clock afternoon, at least once in each week, for eight successive weeks, on a day or days also to be specified in such notice, for the purpose of receiving payment of taxes, and it shall be the duty of such receiver to attend accordingly; and any person may pay his taxes to such receiver at the time and place so designated, or at any other time and place during said eight weeks; and upon all taxes paid before the first day of July in each year, he shall deduct five per centum; upon all taxes paid before the first

Duties.

To give notice of place for receiving taxes.

day of August, in each year, he shall deduct four per centum; and upon all taxes paid before the first day of September, in each year, he shall deduct three per centum; and on all taxes unpaid on the first day of December, in each year, he shall add ten per centum; and he shall settle the several duplicates and pay over the amounts thereof, deducting exonerations and commissions for collection, on or before the first day of January in each year; the said receiver shall have no power or authority to exonerate any person or body politic from the payment of any tax assessed and levied against him or them; he shall be allowed a commission of not more than five nor less than three per centum upon all amounts collected by him, and shall pay over, on the first day of each month, to the several treasurers respectively authorized by law to receive the same, all taxes and sums of money received by him; he shall give a bond to the commonwealth, in the sum of fifty thousand dollars, with two or more sufficient securities, to be approved by the court of common pleas of Luzerne county, conditioned for the faithful performance of his duties according to law, and for the payment of all taxes, rates, assessments and levies received by him; which bond shall be deposited with the burgess of said borough, for the use of persons, bodies politic and corporations in whose behalf he may collect or receive money.

Deductions and additions.

Commissions.

To give bond.

SECTION 5. That the election officers who were elected at the last election, in the said borough of Pittston, shall hold the elections in the several wards wherein they reside, and that additional election officers shall be appointed by the judges of the court of quarter sessions of Luzerne county to fill all vacancies in the several wards of the borough, to conduct the first election from and after the passage of this act.

Election officers

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1266.

S Supplement

To an act to extend to the counties of Wayne and Luzerne the provisions of an act authorizing the reference of civil actions in the county of Bradford, approved on the twenty-third day of March, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Filing of reports of referees, relative to.

That the report of the referee upon all questions of law and fact shall be filed, together with the whole testimony taken, and bills of exception sealed, in the office of the prothonotary, and in order to give all parties in interest an opportunity of entering exceptions to findings of fact or law, and to the admission or rejection of testimony, for which bills have been sealed, no referee shall file his report until ten days after he has notified to the parties his intention so to do, on a day designated, and giving them an opportunity of having access to such report; and it shall be the duty of the court of common pleas to hear and decide upon all exceptions so filed to the report of the referee, reserving to the court, however, the power of committing the report again to the referee, should justice require it; on the return of the referee's final report, or at such time as may be established by the rules of the particular court, either party may set down the cause for hearing on the next argument list: *Provided*, That at least four days shall intervene, and upon such hearing the court shall enter such judgment as to them shall seem proper; and to the judgment of the court so entered, either party may take exceptions, and upon request, the court shall reduce their opinion to writing, and file the same, and upon the judgment of the court, a writ of error may be taken to the supreme court, by either party, which shall be heard by the supreme court as writs of error in other cases, and they shall enter proper judgment thereon, or direct a new trial; in case a new trial is ordered, it shall be proceeded with before the same referee, but if the same referee is unable or refuses to act, then before some other referee, to be selected in the same manner as the original referee.

Court to hear and decide upon exceptions.

Parties may set down cause in next argument list.

Exceptions to judgment of court.

Writ of error.

Agreement to refer to be waiver of right to jury trial.

SECTION 2. An agreement to a reference, under the act to which this is a supplement, shall be a waiver of the right of trial by jury; and the provisions of the act to which this is a supplement, inconsistent herewith, shall be and the same are hereby repealed.

References now pending subject to this act.

SECTION 3. All reference now made under the act to which this is a supplement, and not concluded, shall proceed according to the provisions of this act: *Provided*, That exceptions as aforesaid, to reports of referees filed before the date of the passage of this act, may be filed within twenty days after the passage of the same, with the same force and effect as if filed in pursuance of the provisions of the same, before the filing of such reports.

Where applicable.

SECTION 4. The provisions of this supplement shall apply only to the county of Luzerne, and to the mayor's court for the city of Scranton.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-second day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1267.

A Supplement

To the further supplement approved the fifteenth day of March, one thousand eight hundred and sixty-five, entitled "A further supplement to an act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the words, "persons liable to military duty and upon," and the words, "able bodied," and the words, "not liable to military duty," occurring in the twenty-seventh, twenty-eighth and twenty-ninth line of the further supplement approved the fifteenth day of March, one thousand eight hundred and sixty-five, entitled "A further supplement to an act relating to the payment of bounties to volunteers, approved March twenty-fifth, one thousand eight hundred and sixty-four," be and the same are hereby repealed, so far as the same relates to the borough of Honesdale, in the county of Wayne.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1268.

An Act

To repeal the fifteenth section of an act, entitled "An Act further supplemental to the act relative to the elections of this commonwealth," approved April seventeenth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifteenth section of the act, entitled "An Act further supplemental to the act relative to the elections of this com- Repeal.

When city, ward, borough and township elections to be held.

Terms of officers, relative to.

Not applicable to elections provided for since passage of act of 17th April, 1869.

Elections in Clearfield county.

monwealth, approved April seventeenth, one thousand eight hundred and sixty-nine," be and the same is hereby repealed; and that in the year Anno Domini one thousand eight hundred and seventy-two, and annually thereafter, all elections for city, ward, borough, township and election officers, in the different cities and counties of this commonwealth, shall be on the days and at the times they were held as provided by law in the different cities, wards, boroughs and townships in said counties, prior to the seventeenth of April, Anno Domini one thousand eight hundred and sixty-nine, the date of the passage of the act aforesaid.

SECTION 2. That the terms of the different city, ward, borough, township and election officers in said counties, to be elected at the elections to be held in one thousand eight hundred and seventy-two, shall begin when the terms of such officers heretofore elected shall expire, and so with such officers annually thereafter as provided by law, prior to the passage of the act of seventeenth of April, Anno Domini one thousand eight hundred and sixty-nine: *Provided*, The terms of assessors for the present year shall extend until their successors are duly elected and qualified pursuant to this act: *Provided further*, This act shall not apply to any elections provided for by special laws, since the passage of the act of April seventeenth, eighteen hundred sixty-nine; and the said elections in the county of Clearfield shall be held on the last Friday in December of each year.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1269.

An Act

Fixing an additional place of holding elections in Hollenback township, Luzerne county, and creating two election districts in said township.

Preamble.

WHEREAS, The said township of Hollenback, by reason of its size, shape and division by mountains and streams, is inconvenient to the voters thereof as a single election district: *And whereas*, The courts have not jurisdiction in the matter, as there are not one hundred voters in the proposed new district; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified electors of Hollenback township, residing north and east of a line beginning in the middle of the Little Wapwallopen creek, where the said creek empties into the Susquehanna river; thence up the said Little Wapwallopen creek to Pond creek; thence up Pond creek to the line of Slocum township, shall hold their general and township elections at the public school house situate in Hartville, in said Hollenback township, and known as the Hartville school house. New election district created.

SECTION 2. That at the next ensuing election John R. Nicely is hereby appointed judge, and Reuben Andres and Joseph Hess inspectors, the said inspectors having power to appoint clerks. Election officers

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE.

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1270.

A Further Supplement

To an act approved May twenty-first, one thousand eight hundred and sixty-four, entitled "An Act to incorporate the White Deer Improvement Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That section seventh of the act approved May twenty-first, Anno Domini eighteen hundred and sixty-four, entitled "An Act to incorporate the White Deer Improvement Company," be and the same is hereby repealed; and that the said company shall have full power and authority to enter upon the lands forming the banks of said creek, and its branches, for the purpose of obtaining material to be used in the improvement of the channel, and may deposit upon the banks of said creek, dirt, gravel, rocks and whatever may impede the channel of said creek and its branches, and generally may enter upon and use the banks of said creek at any and all times, and at any and all points, in order fully to carry out the provisions of the act to which this is a supplement, paying a reasonable

compensation for all damages that may accrue thereby ; which damages, sustained in the construction and in the use of the privilege conferred by the act to which this is a supplement, shall be ascertained in the same manner as is now by law established in the case of railroad companies ; and the stockholders of said corporation shall be personally responsible for the amount of such damage: *Provided*, That this act shall not apply to the actions now pending.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1271.

An Act

In relation to the stay of executions in the court of the Twenty-ninth judicial district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in the court of common pleas of the Twenty-ninth district the stay of execution provided by the act relating to executions, passed the sixteenth day of June, one thousand eight hundred and thirty-six, be computed from the return day of the original process.

SECTION 2. That in all cases where bail has been given for a stay of execution, as provided for in the first section of this act, the same is hereby declared to be good and valid.

SECTION 3. That all acts, or parts of acts, altered or supplied by this act, are hereby repealed, in so far as they relate to the Twenty-ninth judicial district.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

Stay of execution to be computed from return day of original process.

Bail given for such stay, validated.

Repeal.

No. 1272.

An Act

To transfer the farm of Jacob Renner, for the purpose of taxation, from Springhill to Gilmore township, in Greene county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the entire farm of Jacob Renner, of Gilmore township, in Greene county, shall be assessed in Gilmore township, and all taxes thereon for township purposes collected in and belong to said township as if the same was all situated in said township, and the same is hereby released from all taxation in any other township for township purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1273.

An Act

To restore the tenth section of an act, entitled "A supplement to an act, entitled 'An Act to incorporate the Norristown and Freemansburg Railroad Company'" so far as the same relates to the vacating of Pennock street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to repeal the tenth section of an act, entitled 'A supplement to an act to incorporate the Norristown and Freemansburg Railroad Company,' approved the seventh day of April, one thousand eight hundred and sixty-eight," be and the same is hereby repealed, so far as the same relates to the vacating of Pennock street.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1274.

An Act

To lay out a road in the city of Philadelphia, from the Philadelphia and Trenton railroad, to Holmesburg station, eighty feet wide, to low water mark in river Delaware, and build a wharf at the foot of said street, for the use of the house of correction and the surrounding country.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That Samuel C. Willits, John Robbins, Junior, and Thomas A. Barlow, of the city of Philadelphia, be and they are hereby appointed commissioners to view, lay out and make a road eighty feet wide, beginning at a point at Holmesburg station of the Philadelphia and Trenton railroad, and extending eastward to low water mark in the Delaware river.

Location of road.

Duty of commissioners.

SECTION 2. That it shall be the duty of said commissioners, or a majority of them, after taking and subscribing an oath or affirmation before an alderman or justice of the peace to perform the duties enjoined upon them by this act with fidelity and impartiality, they shall then proceed to view the ground on which said road may pass, and lay out and make the same on the route agreed upon by a majority of them, from the point named to low water mark, so as will best promote the public good and do the least injury to private property, using any street, public or private road now laid out in said route, which in their judgment may be necessary to complete the road aforesaid; and the commissioners are authorized, if they deem it necessary, to employ a surveyor at a compensation of eight dollars per day.

Surveyor.

Drafts of location, relative to.

SECTION 3. The commissioners shall have two drafts made of the location of the road, one to be placed in the office of the department of surveys, city of Philadelphia, and one in the Tenth survey district, on or before the first day of July next.

Vacancies.

SECTION 4. The commissioners shall proceed as soon as practicable to complete the location of said road, and should any vacancies occur in their number, the same shall be filled by the remaining commissioners so as to constitute a board of three members.

Department of highways to open, make and maintain road.

SECTION 5. It shall be the duty of the department of highways of the city of Philadelphia, upon notice given by a majority of the commissioners, to proceed to open, make and keep in repair said road.

Assessment of damages.

SECTION 6. The commissioners are to assess any damage that may be done any owner of land through which said street may pass, upon those properties that may have been benefited by the opinion of the said street: *Provided*, That if the surrounding properties are not benefited to the extent of the

damages, then the difference or amount deficient to make up said amount of damages shall be paid by the city of Philadelphia.

SECTION 7. When the said street or road shall have been opened, the council of the city of Philadelphia are hereby directed to build a wharf at the end of said street or road, and keep the same in repair forever; and said wharf shall be and remain a public wharf belonging to the city of Philadelphia, and they shall be charged such rent for the same as the managers of the house of correction shall deem proper, and that the said wharf shall be built and remain under the direction of the managers of the house of correction.

City council to build wharf.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1275.

An Act

To authorize a change of venue in certain actions pending in the mayor's court for the city of Scranton, and to authorize the recorder of the mayor's court for the city of Carbondale to hold certain courts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That it shall and may be lawful for either party in any civil action now pending, or that may hereafter be brought, in the mayor's court for the city of Scranton, to remove the same into the court of common pleas of Luzerne county, in like manner, and subject to like rules and proceedings, as if the same had been commenced in the said court of common pleas, and such suits, so removed, shall stand and take their places upon the issue and trial lists of said court of common pleas as if originally commenced therein: *Provided*, That the party so removing shall first take and subscribe an oath or affirmation, to be filed of record with the cause, that such removal is not made for the purpose of delay, but because he firmly believes a fair and impartial trial cannot be had in said mayor's court: *And provided*, That the party so removing shall pay to the clerk of the mayor's court all court costs that may have accrued and remaining unpaid, together with the clerk's fees for certifying the same.

Civil cases may be removed from mayor's court of Scranton to common pleas, Luzerne county.

Oath required.

Costs to be paid.

Clerk to make certified copy of proceedings and transmit to prothonotary.

SECTION 2. That on the filing of such affidavit and payment of costs as aforesaid, the clerk of the mayor's court shall make a true and correct copy of all proceedings in the case, and certify the same, under his hand and the seal of the mayor's court, and transmit the same to the prothonotary of Luzerne county.

Cases in which recorder is interested, relative to.

SECTION 3. That whenever the recorder of the mayor's court for the city of Scranton, in any civil case or proceeding pending in said court, shall certify that he cannot without partiality or indelicacy try said cause or dispose of said proceeding, by reason of interest or other sufficient cause, then and in that case it shall be lawful for the recorder to order and direct a special court, and to direct a venire for the summoning of jurors to attend such special court, for the trial of causes and matters so certified as aforesaid; and at such special courts it shall be lawful for the recorder of the mayor's court for the city of Carbondale to sit as presiding judge for the trial and disposition thereof.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1276.

An Act

To vacate Meetler street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the opening of Norris street between Germantown road and Seventh street, in the city of Philadelphia, that so much of Meetler, late Little Poplar street, as lies between Germantown road and Seventh street, in the city of Philadelphia, be and the same is hereby vacated and laid aside forever; and the title to the said land over which the vacated portions of said street pass is hereby vested in fee simple in the owners of the adjoining property on each side of said street to the middle thereof.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1277.

A Further Supplement

To an act revising the charter of the municipal corporation of the city of Reading, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four, relative to voters.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sixth section of the act of assembly, approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and sixty-four, entitled "An Act revising the charter of the municipal corporation of the city of Reading," be so amended that all freemen of the city of Reading, being citizens of the United States, who have resided within the bounds of said city for one year and have within two years paid a city tax, shall be entitled to vote at any election held in said city for city officers: *Provided,* That the payment of a city tax shall not be required of any citizen voting who shall be between the ages of twenty-one and twenty-two years.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1278.

An Act

To divorce William Arkless and Mary Ann, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract heretofore made between William Arkless and Mary Ann, his wife, be and the same is hereby annulled and made void, and the parties released therefrom, as if they had never been married, the courts of justice having no jurisdiction in the premises.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1279.

An Act

To appoint trustees and authorize them to sell a certain tract of land upon which is erected a Roman Catholic church, situate in the township of Richmond, Berks county.

Preamble.

WHEREAS, Francis Hopp and Adam Reichard did grant and confirm by their indenture, bearing date the third day of August, Anno Domini one thousand eight hundred and twenty-two, unto Philip Reichard and John Grett, trustees of the Roman Catholic congregation in and about the township of Richmond, Berks county, a certain tract of land, containing about four acres, to be held by said trustees and their successors in trust for the Roman Catholic congregation above named, to their proper use and behoof forever :

And whereas, The said trustees and the members of said congregation erected a suitable edifice upon said lot of ground, and since the erection thereof the members of said congregation have died or removed away, so that the organization is no longer kept up, no trustees have been elected or appointed, no regular service was held in said church for the last fifteen years, and no service at all for five years last past :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Michael Richards, Joseph Popp and Joseph Burkey, of the borough of Hamburg and Windsor township, said county, be and are hereby appointed trustees, with power to dispose of all that certain tract of land on which is erected a Roman Catholic church, situate in the township of Richmond, said county, bounded by lands of Jacob Kock, John Zacharias and others, containing about four acres, or any part thereof, at public or private sale, and with the proceeds arising therefrom to erect a good and substantial stone wall around the grave-yard at said church, and pay the balance, whatever the same may be, to the trustees of St. Mary's Catholic church, at Hamburg, Berks county, for the use and benefit of said church: *Provided,* That the trustees of said St. Mary's Catholic church keep said stone wall forever in repair.

Trustees may dispose of certain church property.

SECTION 2. Upon a sale being effected the trustees hereinbefore named shall be authorized to execute and deliver a deed to the purchaser or purchasers in fee simple, in the same manner as if they had been elected and duly authorized by said congregation.

Trustees may execute deed to purchasers.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1280.

An Act

Relating to the sale of unseated land for taxes in Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the treasurer of the county of Union shall be and is hereby authorized and directed to commence, on the second Monday in August, in the year one thousand eight hundred and seventy-one, and at the expiration of every two years thereafter, and adjourn from day to day, if found necessary so to do, and make public sale of the whole or any part or parts of such tract or tracts of unseated lands, situate in said county of Union, as will pay the arrearages of taxes, any part of which shall then have remained due and unpaid for the space of one year before, together with all the costs accruing by reason of such delinquency; and so much of the act of third April, eighteen hundred and four, entitled "An Act directing the mode of selling unseated lands for taxes," and supplements thereto passed as hereby altered, be and the same are hereby repealed, so far as respects the said county of Union.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1281.

An Act

Relating to elections in the county of Bedford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act passed the second day of July, one thousand eight hundred and thirty-nine, entitled "An Act to provide for the election of prothonotaries, clerks, registers and recorders," are hereby so altered that hereafter the qualified electors of the county of Bedford shall elect one person

to fill the office of register and recorder of said county, and the said office of register and recorder shall be separate and distinct from the other offices of said county: *Provided*, That the provisions of this act shall not take effect until the next election succeeding the expiration of the term of the present incumbent of said office.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1282.

An Act

Relating to the distribution of moneys raised by sheriff's sales.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for any court in this commonwealth to decree the distribution of any funds raised by sheriff's sales of real and personal property, or when expedient, to appoint auditors to make distribution, in all cases in which the parties in interest shall assent to such decree or appointment, notwithstanding that the proceeds of such sales shall not have been paid into court.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1283.

A Supplement

To an act, entitled "An Act to extend the provisions of an act, entitled 'An Act to provide for the payment of damages caused by the construction, repair and use of the North Branch canal, in the county of Wyoming, to lands of James Bunnell,' approved April sixth, one thousand eight hundred and sixty-nine, to lands of Edward Herrick, in the county of Bradford, and to allow George C. Hill and William Kingsley to institute proceedings to recover compensation for the construction of bridges along the line of said North Branch canal," approved May ninth, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second section of act, approved May ninth, one thousand eight hundred and seventy, entitled, "An Act to extend the provisions of an act, entitled 'An Act to provide for the payment of damages caused by the construction, repair and use of the North Branch canal, in the county of Wyoming, to lands of James Bunnell,' approved April sixth, one thousand eight hundred and sixty-nine, to lands of Edward Herrick, in the county of Bradford, and to allow George C. Hill and William Kingsley to institute proceedings to recover compensation for the construction of bridges along the line of said North Branch canal," be amended so as to read in the sixth line after the word bridges and excavations.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1284.

An Act

To exempt the school bonds of Fayette City borough, in the county of Fayette, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all bonds heretofore issued by the school directors of Fayette City borough, or hereafter to be issued by them, agreeably to authority given by the act of April fifteen, one thousand eight hundred and fifty-seven, be and the same are hereby exempted from all taxation, except for state and county purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1285.

An Act

Extending an act for the relief of Joseph A. Allen and E. Mays to William L. Keefer and Alexander Grant.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act of assembly, approved March second, one thousand eight hundred and sixty-seven, entitled "An Act for the relief of Joseph A. Allen and E. Mays, in Irwin township, Venango county, Pennsylvania," be and the same are hereby extended to William L. Keefer and Alexander Grant, of Richland township, in said county and state, for the purpose therein mentioned.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1286.

An Act

To repeal an act, entitled "An Act to repeal the third section of an act, entitled 'An Act relating to judicial sales and the preservation of the lien of mortgages,' approved March twenty-third, Anno Domini one thousand eight hundred and sixty-seven, as far as the same relates to orphans' court sales," approved March tenth, Anno Domini one thousand eight hundred and seventy, so far as the same relates to the counties of Berks and Schuylkill.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act to repeal the third section of an act relating to judicial sales and preservation of the lien of mortgages, approved March twenty-third, Anno Domini one thousand eight hundred and sixty-seven, as far as the same relates to orphans' court sales," approved March tenth, Anno Domini one thousand eight hundred and seventy, be and the same is hereby repealed, so far as the same relates to the counties of Berks and Schuylkill.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1287.

A Supplement

To an act, entitled "An Act to incorporate the Lock Haven, Nittany and Sugar Valley Narrow Gauge Railroad Company," approved the seventeenth day of March, Anno Domini one thousand eight hundred and seventy-one.

SECTION I. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lock Haven, Nittany and Sugar Valley Narrow Gauge Railroad Company be and they are hereby authorized to issue their bonds to an amount not exceeding ten thousand

dollars per mile of said railroad, at a rate of interest not exceeding eight per centum per annum, and secure the payment of said bonds by a mortgage of the corporate rights, franchises and property to the real and personal of said company; and the directors of said company are authorized to negotiate said bonds at such price as they may determine; the proceeds arising from the sale of said bonds to be expended in the construction and equipment of said railroad; and all laws inconsistent herewith be and the same are hereby repealed.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1288.

An Act

To repeal an act, entitled "An Act regulating the fees of surgeons at coroner's inquests in the counties of Schuylkill and Mercer," so far as the same relates to the county of Schuylkill.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That an act, entitled "An Act regulating the fees of surgeons at coroner's inquests in the counties of Schuylkill and Mercer," approved the thirtieth day of January, Anno Domini one thousand eight hundred and sixty-six, be and the same is hereby repealed, so far as it relates to the county of Schuylkill.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1289.

An Act

To allow turn-outs at Ninth and Jefferson streets, in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That turn-outs may be laid down on and across Ninth street, connecting with the Philadelphia, Germantown and Norristown railroad, within the following limits: From the north line of Jefferson street, in the Twentieth ward of the city of Philadelphia, northward to a line parallel with the said Jefferson street, at a distance of ninety-four feet north of the same.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1290.

An Act

Relating to Conemaugh borough, in the county of Cambria.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the town council of the borough of Conemaugh, in the county of Cambria, to annually elect, a time to be fixed by said council, one competent person as borough assessor, whose duty it shall be to make all assessments for borough purposes.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1291.

An Act

To authorize the borough of M'Keesport to compromise with the holders of the bonds of said borough, issued in payment of its subscription to the capital stock of the Pittsburg and Connellsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of M'Keesport, in the county of Allegheny, be and hereby is authorized and empowered to negotiate a compromise with the holder or holders of any of the bonds of said borough, issued in payment of its subscription to the capital stock of the Pittsburg and Connellsville Railroad Company.

Borough may compromise with certain bond holders.

May issue bonds

SECTION 2. That the said borough of M'Keesport be and is hereby authorized and empowered to direct the issue of bonds of said borough, in the corporate name thereof, to be sealed with the corporate seal of said borough, and signed by the burgess and attested by the clerk of said borough, and bearing interest at a rate not exceeding six per cent. per annum; which said bonds shall be used for the purpose of redeeming the bonds of said borough issued to said Pittsburg and Connellsville Railroad Company as aforesaid, and for no other purpose whatever: *Provided*, That before any such bonds shall be issued, the burgess and town council of said borough shall fix and determine, by ordinance, the amount, terms and conditions of said bonds, and the terms and conditions upon which the same shall be exchanged for the bonds issued to said railroad company as aforesaid.

May levy and collect a tax and provide sinking fund.

SECTION 3. That the corporate authorities of said borough are hereby authorized to levy and collect a tax upon all objects of taxation that now are or may hereafter be taxable for state, county or borough purposes, for the specific and exclusive purpose of paying the interest which may accrue upon the bonds issued by virtue of this act, and of providing a sinking fund which shall extinguish or meet the principal of said bonds, at the rate of four per centum per annum; and no limitation of the power of said borough, to levy and collect taxes, shall restrain their power to levy and collect said tax for the purpose aforesaid.

Bonds exempt from taxation.

SECTION 4. That the bonds issued in pursuance of this act shall be exempt from taxation, for state, county and municipal purposes.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1292.

An Act

Vacating Twenty-first, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth streets, in the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of Twenty-first, Twenty-second, Twenty-third, Twenty-fourth and Twenty-fifth streets, as laid out or proposed to be laid out, as passes through the lands of the Philadelphia and Erie Railroad Company, east of East lane, in the Fifth ward of Erie city, be and the same are hereby vacated, and the lands over which the same are laid out, or proposed to be laid out, be vested in the owners of the property fronting on east side of said vacated streets, to the middle thereof: *Provided,* That the said railroad company lay out, for public use, a street fifty feet wide, along the west line of their above mentioned lands, to extend from Buffalo to Twenty-sixth street through their lands, in a north-easterly direction to Buffalo street.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1293.

An Act

For the relief of James Clark.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Bedford county are hereby authorized and required, on or before the first day of July, Anno Domini one thousand eight hundred and seventy-one, to adjust the claim of James Clark, of St. Clair township, in the said county of Bedford, against the said county, arising out of the construction of a double-tracked bridge across the Raystown

Branch of the Juniata river, near the town of Bedford, which bridge was built by the said Clark at his own expense, and has been used by the people of said county and the traveling public for twenty-eight years as a public highway, without any remuneration to the said Clark; and the said commissioners of the said county of Bedford are hereby authorized to pay to the said Clark, out of the moneys in the county treasury, such sum as they may deem to be justly due to him, after a full and thorough investigation of his claim.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1294.

An Act

To incorporate the Ashley Savings Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Charles Parrish, J. C. Wells, Charles M. Conyngham, J. K. P. Fenner, Peter Pursel, James A. Timpson, H. W. Palmer, Dr. E. L. Diefenderfer, W. A. Marcy, Dr. A. Le Bar, and all other persons who shall hereafter become stockholders in the company incorporated, shall be and are hereby created a body corporate, by the name, style and title of the Ashley Savings Bank, and by that name they shall be capable by law to hold and dispose of property, to sue and be sued in any court whatever, to make, have and use a common seal, and alter and renew the same at pleasure, to make and put in force all such by-laws, ordinances and regulations necessary for conducting the business of the corporation, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and to promote the object and design of this act of incorporation, to be located in the borough of Ashley, late Coalville, in Luzerne county: *Provided*, That a misnomer of the said corporation, in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained.

Name.

• Powers and privileges.

Misnomer.

Purpose.

Business.

SECTION 2. That the purpose of this act is to incorporate and organize a savings bank and loan and trust company; and that the business of the said corporation shall be to re-

ceive on deposit, from all persons who shall offer the same, any sum or sums of money, not less than one dollar, and to transact any other business transacted by banks in this commonwealth, to take and accept by grant, assignment, transfer, devise or bequest, and hold any real or personal estate or trusts created in accordance with the laws of this state, and execute such legal trusts in regard to the same, on such terms as may be declared, established or agreed upon in regard thereto, to accept from and execute trusts for married women in respect to their separate property, whether real or personal, and act as agents for them in the management of such property, and to receive and become the depository of all trusts and such other funds that may be paid into or be under the control of the several courts of this state and the laws of the same: *Provided*, That the law courts shall be satisfied of the security of the said depository: *Provided however*, That nothing in this act shall be construed to authorize the issue of circulating notes; such deposits to be paid to such depositors with interest, at such rates as may be fixed annually by the directors, in lawful money, national bank notes or notes of banks incorporated in this state at par, in sums not less than one dollar when required during business hours: *Provided*, That deposits by married women and minors may be repaid to them, and such re-payments made upon their orders, checks or receipts, shall discharge said corporation from any further claim for the same; and deposits so made by married women or minors shall not at any time be subject to the claim or demand of or payable to the husband of said married woman, or to the parent or guardian of such minors.

Not authorized to issue circulating notes.

Deposits by minors or married women.

SECTION 3. That for the security of the depositors of the said corporation it shall be the duty of the persons named in the first section, and such others as may become associated with them as stockholders in the company incorporated, to raise and form a capital of twenty thousand dollars, to be divided into shares of fifty dollars each, and be paid in as shall be required by the board of directors; but one-half thereof shall be fully paid in before the said corporation shall commence business; the directors of the said corporation may increase the capital stock thereof as they from time to time shall elect, to any amount not exceeding one hundred and seventy-five thousand dollars: *Provided*, That the stockholders, at the time of such increase, shall each be entitled to a pro rata share of each such increase, upon the payment of the par value thereof; such right to be forfeited, however, if not availed of within ten days of the time fixed for subscription therefor by public notice.

Capital.

Increase.

SECTION 4. That the said corporation shall have authority to invest its funds in the purchase of the stock of this commonwealth or of the United States, or other stocks or bonds, or real and personal securities, or in such other manner as may be deemed appropriate and safe.

Investment of funds.

SECTION 5. That the directors shall prescribe the form of certificates to be issued to depositors, and the mode of making them transferable, the time and mode of electing directors

Directors to prescribe form of certificate to depositors, mode of electing directors, &c.

and officers, the method of filling vacancies in the board of directors, the qualifications of directors and officers, and may add to the number of directors in such manner as the by-laws may prescribe: *Provided*, The number of directors shall at no time exceed nine.

Meeting of
corporators.

SECTION 6. That there shall be a meeting of the majority of the persons named in the first section, on such day within twelve months from the passage of this act as a majority of them shall appoint, for the purpose of receiving subscriptions for the capital stock of said corporation, and choosing from among the subscribers seven directors, to manage the affairs of the said corporation; said directors shall choose from their number a president and vice president, and may appoint and remove at will such other officers as they shall deem necessary; said directors, president and vice president to remain in office until a new election shall take place, as provided in the by-laws, and to have and to exercise all of the rights, powers and privileges which are intended to be hereby given.

Purpose of
meeting.

Officers.

Real estate.

SECTION 7. That the real estate which it shall be lawful for the said corporation to hold shall be only such as is requisite for the transaction of its business, and such as it may find necessary to purchase, at judicial sale or otherwise, to secure debts due it; and that in all cases of loans upon real estate, the expenses of searches, examination of certificates and recording papers shall be paid by the borrower.

Expenses of
searches, &c., to
be paid by bor-
rower.

Interest on
deposits.

SECTION 8. That the directors, at their first meeting in January of each year, shall regulate and fix the rate of interest to be paid upon deposits for the ensuing year; that interest shall not be allowed to any depositor until his deposit shall amount to three dollars; that interest shall be calculated by calendar months only, and no interest to be allowed for fractions of months.

Dividends,
relative to.

SECTION 9. On the first Tuesday in January and July, in each year, the directors shall make and declare, out of the net proceeds and profits of the business of the same corporation, a dividend of so much thereof as they may deem best, and pay the same over to the stockholders or their legal representatives, within ten days thereafter: *Provided*, That if the directors shall declare and pay any dividend from any source whatever, other than the net profits and gains of the business of said corporation, or shall receive from any person or persons any deposits after the assets of said corporation shall have become depreciated in cash value below the whole amount of the deposits with said corporation and the debts of the same, and fifty per centum of the capital paid in, and they shall become and be, and so long as said depreciation continues, shall remain jointly and severally personally liable to the depositors with and creditors of said corporation, for any deficiencies existing to them after their remedies against the said corporation shall have become exhausted.

Shares of stock
may be trans-
ferred.

SECTION 10. The shares of said corporation shall be transferable on its books in such manner as may be designated by the by-laws thereof; that each stockholder shall be entitled to cast one vote in person or by proxy for each and every share of stock by said stockholder then owned; and if any

person or persons shall subscribe to the original or increased stock of said corporation, and shall omit to pay any instalment of the same for the period of thirty days after the time prescribed for the payment thereof, the moneys theretofore paid by such subscriber, and the stock by him or her subscribed for, shall be forfeited to said corporation, and the directors of said corporation may sell or dispose of the said stock as they may deem most advantageous to said corporation; the books of said corporation shall at all times, during business hours, be open for the inspection of such as the legislature shall appoint for that purpose.

Failure to pay instalments.

Books to be open for inspection

SECTION 11. The officers and agents of said corporation, upon entering upon the discharge of their duties, shall give bonds in such an amount as the directors shall fix, for their fidelity and good conduct, and for the safe-keeping and appropriation of all such sums of money as shall be placed in their charge by depositors or others; and that the directors of said corporation may require an increase of the amount of said bonds whenever they may deem it necessary; that such portions of the by-laws and regulations of the said corporation as relate to the receipt and payment of deposits, and to the rate of interest paid thereon, shall be put up in a conspicuous place in the office where the business of said corporation is transacted.

Officers and agents to give bond.

SECTION 12. That it shall be lawful for any court of the commonwealth of Pennsylvania, and for any person or persons, or bodies politic or corporate, by deed, will or otherwise, to make, constitute and appoint said corporation, with the consent of the same, a trustee, assignee, guardian of the estate of minor children, committee of lunatic or receiver, and to allow it like compensation for the execution of such trusts as would by law be allowed to individuals, and such as may be agreed upon before accepting any such trust from or on behalf of any such person or persons, and bodies politic or corporate; and the said corporation is further empowered to accept such appointment and act as executor or administrator of any deceased testator or intestate; and letters testamentary and of administration may be issued by the register of wills of proper counties to it, for such appointments as executor or administrator as the said corporation may accept, without such bond or surety.

Courts may appoint corporation trustee, guardian, assignee, &c.

SECTION 13. The capital stock of said corporation shall be taken and considered as security required by law for the faithful performance of its duties as such executor, administrator, trustee or receiver, and shall be liable in such case of default.

Capital stock to be security.

SECTION 14. This charter shall continue for twenty years; but the legislature reserves the right to alter, revoke or annul the same at any time when it shall be deemed necessary for the public good: *Provided however*, That no injustice shall be done to the stockholders: *And provided further*, That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Limitation of charter.

Reservation.

Bonus and taxes

Liability of
stockholders.

SECTION 15. The stockholders shall be individually liable to double the amount of paid up stock held by them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of July, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1295.

An Act

To validate the last will and testament of Meyer Schnurman, late of the city of Allentown, in the county of Lehigh, deceased.

WHEREAS, The last will and testament of Meyer Schnurman, late of the city of Allentown, in the county of Lehigh, deceased, bearing date the nineteenth day of December, Anno Domini one thousand eight hundred and sixty-five, was proved before the deputy register of said county, on the twenty-eighth day of December, Anno Domini one thousand eight hundred and sixty-five, by Joshua Schnurman, the only subscribing witness thereto, and was recorded :

And whereas, Letters testamentary were issued to Henry Schnurman, the executor named in said will, who by virtue thereof, and in accordance with the directions of said will, has sold a considerable portion of the personal property of said testator, and applied the proceeds thereof to the payment of said testator's debts ; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said last will and testament of said Meyer Schnurman, deceased, so as aforesaid attested, proved and recorded, shall be taken and held to be valid in law, and shall have the same force and effect as if the same had been attested and proved by two witnesses, and in all respects as required by the existing laws of this commonwealth ; and also, that all acts and things heretofore done or that may hereafter be done by the said Henry Schnurman, as executor under said will, are hereby decreed to be legal and binding on all parties interested herein, in the same manner as if said will had been legally executed and probated, all laws now existing to the contrary hereof notwithstanding.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The third day of July, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1296.

An Act

Authorizing the grading, construction and making of West End avenue, in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Birmingham, Hugh S. Fleming, William Dilworth, Jr., George W. Smith, Hay Walker, Thomas M. Bayne, Robert D. Cochran, William Cooper and Robert Dalzell, be and they are hereby appointed commissioners, with full power to lay out, grade, macadamize or otherwise make and finish an avenue or highway, to be called West End avenue, at not more of an elevation than four degrees, and not exceeding sixty feet wide, including side-walks, beginning at the westerly line of the city of Allegheny, and extending thence along and near the Allegheny and New Brighton turnpike road to the line of Kilbuck township, and thence to a point on the public road near Dixmont hospital, if said commissioners shall determine to extend said avenue to that point; and in so laying out and making said avenue, the said commissioners are hereby clothed with all the powers vested in the board of directors of turnpike and plank road companies, by the act of January the twenty-sixth, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto, and may move out of the way houses and all obstructions; and all claims for damages and the right of way arising out of the laying out and making of said avenue, over lands that shall be appropriated for and be occupied by said avenue, shall be subject to the provisions of said acts; and all proceedings to gain the right of way, or for the recovery of damages by the owner or owners of land so occupied, shall be instituted under the provisions of said acts, in the name of the commissioners of West End avenue and the party or parties claiming damages; and all damages recovered, shall be set off against payment of assessments herein provided for, to the extent of such assessments, and all excess of damages shall be paid by said commissioners: *Provided*, That the cost of construction shall not exceed an average of twenty thousand dollars per mile.

Commissioners to lay out and make West End avenue.

Location.

Powers of commissioners.

Claims for damages.

Cost of construction.

SECTION 2. That a majority of said commissioners attending any meeting called for the purpose of transacting business relating to the location, laying out and construction of said avenue, or anything required to be done in prosecuting and completing the same, shall be competent to consummate any act and make all contracts necessary in prosecuting and completing said work, including the building of all walls, bridges, arches, the grading of side-walks and planting of shade-trees along the same, and other work required in completing said avenue.

Majority of commissioners may make contracts, &c.

Cost of grading, &c., to be assessed on lands abutting on and near avenue.

SECTION 3. That the cost and expenses of grading, macadamizing, walling, bridging, curbing, stoning, graveling, planting and making said avenue as aforesaid, and of purchasing from the Allegheny and New Brighton Turnpike Road Company the road, grade, franchises and property thereto belonging, shall be levied and assessed upon the lands abutting on said avenue, and all other lands lying within not exceeding one mile of the same, and of the western terminus thereof, the assessors hereinafter named having first made a just and equitable valuation of said lands for that purpose, according as the same may be benefited by the making of said avenue, each lot or tract of land being valued by said assessors, and a uniform percentage on such valuation assessed thereon by the commissioners aforesaid, in the name of the owner, owners, real or reputed, thereof, not exceeding six per centum upon such valuation, and that said valuation and assessments shall be properly made; the said commissioners shall have full power to employ an engineer to make a plot of all the lands embraced within the limits aforesaid, and along both sides of said avenue, showing the situation, boundaries and quantity of each lot or tract of land, and the real or reputed owners of the same; and they shall also prepare an estimate of the entire cost of said improvement, having first made a permanent location of the avenue and the necessary surveys, calculations and measurements required for such estimate; and said commissioners and engineers shall have the right, without hindrance or interference, to enter upon the lands to be surveyed, and if necessary, to require the production of title deeds of property within said limits by the owner or owners thereof.

Percentage not to exceed six per centum of valuation.

May employ engineer to make plot.

To prepare estimate of cost.

May enter upon lands, &c.

Court of common pleas to appoint assessors.

Duties.

Valuation fixed by assessors to form basis of assessment.

Compensation.

SECTION 4. That when said commissioners shall have completed said survey, plot and estimate, they shall apply by petition to the court of common pleas of said county for the appointment of three assessors; and said court shall appoint three competent men as a board of assessors in the premises, and they shall, on five days' notice, proceed to view and examine all the lands and lots of ground within the boundaries aforesaid and described on said plot, and shall make a fair, equal and just valuation of each lot and tract of land therein, so as to equalize the burthen and cost of constructing said avenue, upon all the lands benefited thereby, in proportion to the benefit that may accrue to each lot and tract of land aforesaid by reason of the completion of said improvement; and the valuation so fixed upon each particular lot and tract of land shall form the basis of all assessments to be made under this act to defray the cost and expense of making and finishing said avenue; and such valuation may be certified by two of said assessors, who shall be paid by said county such compensation as the said court shall direct; and the commissioners aforesaid shall have the power and they are hereby required to apportion the valuations as made, and the assessments thereon, upon any and every lot and tract of land that may be subdivided and sold after the valuations made by said assessors.

SECTION 5. That said commissioners, when they shall have

ascertained the price to be paid for the Allegheny and New Brighton road and appurtenances, and before any bonds shall be issued as herein provided, shall proceed to lay out such avenue, and cause an estimate of the entire cost thereof to be made, and of the probable amount that shall be assessed upon each lot or tract of land as aforesaid; and they shall from time to time, as they may determine, make assessments upon the land so liable, in such sums and at such times as they shall determine, not, however, exceeding in the aggregate six per cent. on said assessors' valuation, giving public notice thereof in a paper published in the city of Pittsburg for ten days before the day fixed for the payment thereof; and the owners of property so assessed shall be required to pay the several sums so assessed, with seven per cent. interest per annum, from the date when the same shall be made payable; and when the entire cost of the improvement shall have been ascertained, a full and final assessment shall be made upon all lands made liable therefor, and collected as herein is provided; and if sufficient money shall be paid in on such assessments to defray the expenses of said work, and pay all debts contracted therefor, no bonds shall be issued until additional moneys shall be required.

Duty of commissioners on ascertaining price to be paid for Allegheny and New Brighton road.

Payment of sums assessed on properties.

Final assessment.

Issue of bonds.

SECTION 6. If the whole or any part of the moneys so assessed and levied upon the lands aforesaid shall not be paid for ten days after the date named for the payment of the final assessment under this act, such assessment or assessments may be forthwith filed in the office of the prothonotary of the court of common pleas of Allegheny county, as assessments for grading and paving streets in the city of Allegheny are filed, in the name of the commonwealth of Pennsylvania, for the use of said commissioners, and the same shall be collected as the assessments for paving and grading of streets in the city aforesaid are now collected, by the same writs and legal process now employed for the collection of such liens, according to the practice of said court or the district court of said county, and the acts of assembly relating to the collection of claims for grading and paving in said city, together with seven per cent. interest from date of payment, costs of suit and five per cent. attorneys' commissions for collection.

Collection of assessments, relative to.

SECTION 7. That said commissioners are hereby empowered to purchase the grade, road, property and franchises of the Allegheny and New Brighton Turnpike Company, and the charter thereof; and the said company are authorized to sell the same to the said commissioners, which sale and proper transfer, made by the board of directors of said company, shall vest in said commissioners and their successors all the property and franchises aforesaid, so far as they may be applicable to and necessary for the construction and management of said avenue; and for the purpose of fixing a price upon said property, the court of common pleas of said county shall, on application of either party, appoint five disinterested referees, a majority of whom, after ten days' notice to all of them, sitting as arbitrators, and governed by the laws and practice of this commonwealth relating to arbitrations, shall be competent to make and award in writing, fixing the price

Authorized to purchase the property and franchises of the Allegheny and New Brighton Turnpike Company.

How price to be determined.

to be paid for said turnpike road and appurtenances, and the terms of payment, and a transfer of all of said property shall be made by the board of said company pursuant thereto; and the said commissioners shall issue their bonds in payment of said price, which shall be received by them in payment of assessments made on lands liable therefore under this act, or otherwise liquidated and paid as debts of said avenue commission.

Election of commissioners to manage avenue, relative to.

SECTION 8. That when said avenue shall be finished, and an account of all the business in any way connected therewith shall be filed as in this act is provided, it shall be lawful, after twenty days' public notice in a newspaper published in Allegheny county, for all persons who have contributed to the making of said avenue by paying assessments as aforesaid, to hold an election at the regular office of said commissioners, on the first Monday of May, and annually thereafter, and then and there, as is lawful in case of plank road elections, to elect five commissioners for the control and management of said avenue, who shall hold office for one year and until their successors are in like manner from year to year duly chosen; and each person voting at such elections shall have one vote for every one hundred dollars paid of money assessed as aforesaid, and may vote by proxy or personally: *Provided*, That in determining the number of votes any one may be entitled to cast, no fraction of one hundred dollars shall be estimated, but any assessment less than that sum shall entitle the payer to one vote.

May collect tolls when two miles are completed.

To be viewed, &c., when completed.

Tolls.

SECTION 9. That as soon as two miles or more of said avenue shall be completed, the said commissioners shall have the right to erect a gate or gates, and collect tolls as plank road companies now do, according to a scale of rates agreed upon by said commissioners; and when the entire avenue shall be completed, the same shall be viewed as plank roads are now viewed, and a commission issued by the governor of this commonwealth, authorizing the collection of such tolls as may be agreed upon by said commissioners, and as shall be sufficient to keep said avenue in good repair, not, however, exceeding the ordinary tolls now authorized by said act of twenty-sixth of January, Anno Domini one thousand eight hundred and forty-nine, relating to plank road companies; said tolls to be expended judiciously in repairing, keeping up and ornamenting said avenue; and the said commissioners shall have the right to erect, keep and maintain, within the limits of said avenue, toll and dwelling houses for the use and occupancy of toll-keepers and their families.

City of Allegheny required to pave portion of road within city limits.

Councils to purchase portion so paved.

SECTION 10. That the city of Allegheny shall be required, as soon as said commissioners have in good faith commenced the construction of said avenue, to grade and pave or macadamize that part of the said turnpike road lying within the limits of said city, of a width to correspond with said avenue; and the councils of said city are further required to purchase from said company that portion of their road, so to be graded, paved or macadamized, at such price as may be agreed upon with said company, and if they cannot agree without unnecessary delay, then the court of common pleas shall appoint five

referees, the award of a majority of whom shall be competent to fix the price to be paid by said city: *Provided*, That either party, within twenty days after the filing of said award, shall have the right of appeal and a trial by jury, as in the case of an appeal from the award of arbitrators; said referees to be governed in the discharge of their duties by the rules of practice and the laws now relating to arbitrations.

SECTION 11. That said commissioners shall have power to make contracts with persons using said avenue, monthly, quarterly and annually, and to commute tolls for the use of the same; and all persons who shall have paid moneys assessed upon lands made liable for the construction of said avenue, under this act, shall be allowed credit for all moneys so paid on the books of said commission, and the same, with interest thereon, shall be a set off in favor of such persons and their representatives in the premises, to the extent of the several sums of money paid, against the payment of tolls.

Commissioners may make contracts for use of road and commute tolls.

Credits to be allowed persons who paid sums assessed for construction.

SECTION 12. That a majority of said commissioners shall constitute a quorum, and at any time within one year after the passage of this act, shall meet at some place designated, and they shall then and annually thereafter, pursuant to ten days' notice, published in a newspaper published in said county, elect one of their number to be president, and shall appoint a secretary and a treasurer of said commission to serve for one year; and as treasurer he shall give bond in the sum of fifty thousand dollars to said commission, to be approved by them, with two sureties, conditioned that he will faithfully discharge the duties of his office, and shall receive out of the funds of said commission a reasonable salary; and the funds of the said commission shall be drawn upon the check of the president, countersigned by the treasurer thereof; and should any interest be allowed upon the deposits thereof, made in any bank or banks, said interest so allowed shall inure to the sole use and benefit of said commission, to be used in making said improvement.

Quorum.

Election, &c, of officers.

Treasurer to give bond.

Salary.

How funds to be drawn.

SECTION 13. That in prosecuting the work herein contemplated, the said commissioners shall employ a competent engineer and assistants, at a fair salary, and shall employ a general superintendent of said work, paying him a fair compensation out of funds to be collected as herein provided, and shall make all contracts necessary to prosecute the entire work to completion: *Provided*, That no one of said commissioners shall in any way be interested in any contract on or connected with the work of said avenue; and if the said commissioners or any of them shall violate this provision, he or they shall forfeit to the use of said avenue commission all moneys which may have accrued under such contract, and shall further be guilty of a misdemeanor, and upon conviction shall be punished by fine and imprisonment in the county jail or workhouse: *Provided*, That said fine shall not exceed one thousand dollars, to be appropriated to the use of said avenue commission, and that the term of imprisonment shall not exceed one year.

Employment and compensation of engineers, &c.

Commissioners not to be interested in contracts.

Penalties.

SECTION 14. That said assessments shall be a lien upon the lands against which they shall be assessed, and shall be paya-

Assessments to be liens.

ble out of the proceeds of such lands, with seven per centum interest from the date when the same were made payable, before all other liens, except taxes.

Commissioners to file annual accounts.

SECTION 15. That said commissioners shall annually, to the March term of the court of common pleas of said county, file a correct account of all the moneys collected by them and expended in prosecuting said work, showing the financial condition of the said improvement, for the inspection of the judges of said court, and if approved by them public notice shall be given thereof in a newspaper to be named, for three successive weeks, when the same shall be confirmed, if no exception be filed thereto in the meanwhile, or such other order made as may be proper.

Assessments to include all moneys expended, &c.

SECTION 16. That the assessments to be made under this act shall include all moneys to be expended in laying out and making said avenue as aforesaid; and further, such additional sum of money as may be agreed upon as the price and consideration to be given to the Allegheny and New Brighton Turnpike Company, for their road and charter as herein authorized, and all necessary incidental expenses in and about the same, including payment of damages for right of way.

Commissioners may issue bonds

SECTION 17. That the said commissioners, as the work of constructing said avenue progresses, and as they shall deem it necessary, shall from time to time issue bonds, to be denominated West End avenue bonds, in such amounts as may be convenient, and for a sum of money sufficient to cover the entire cost of making and constructing said avenue as aforesaid, if required so to do, falling due at the dates to be named in said bonds, which shall bear interest at the rate of seven per centum per annum from the respective dates thereof, and be free from all taxes; the said bonds when issued and sold shall be registered in the books of said commission, signed by the president and countersigned by the secretary thereof, and shall not be sold below the par value thereof, and they shall be a lien upon all property made subject to the assessments for constructing said avenue under this act, to the extent of the assessments levied upon each lot or tract of land; but such lot or tract of land so bound shall be fully released from said lien on payment of the amount of the money assessed thereon, with seven per centum interest as aforesaid, from the date when such assessment became payable, and satisfaction shall thereupon be entered and a release given, discharging such lot or tract of land forever from further liability in the premises, which act may be done by the treasurer of said commission, in person or by attorney.

Exempt from taxation.

Bonds to be a lien on property subject to assessments.

Additional provisions concerning bonds.

SECTION 18. That said bonds shall be made payable to the order of the treasurer of said commission, and shall be endorsed by him to the purchasers thereof; and the proceeds of said bonds shall be credited to said avenue commission, and when any of said bonds shall be paid, the same shall be severally cancelled, and there shall be full and accurate accounts kept of all such bonds and filed in court as is in this act provided.

Commissioners may employ engineers, agents, &c.

SECTION 19. That said commissioners shall have full power to employ engineers, contractors and agents to enter upon

lands required for the purpose of laying out and constructing said avenue, and may, if they see proper, widen and straighten the present grade of the Allegheny and New Brighton turnpike road along the side and over the lands of the Union Dale cemetery, and shall assess on the same a reasonable proportion of the cost of said avenue, any law to the contrary notwithstanding.

SECTION 20. That any commissioner, agent or officer of said commission who shall unlawfully appropriate any of the funds thereof, or shall defraud said commission in the sale of bonds by receiving a commission therefor, or shall bargain for any profit or gain other than is in this act authorized, shall be guilty of a misdemeanor, and on conviction thereof, in any court of competent jurisdiction, shall be fined in not less than five hundred or more than five thousand dollars, and imprisoned in the Western penitentiary of Pennsylvania for any term not less than one nor more than five years.

Penalties for misappropriation of funds, &c.

SECTION 21. That in case of the death, removal from the county of Allegheny, neglect or refusal for thirty days to act as commissioner of one or more of the commissioners named in this act, or who may hereafter be appointed, the acting commissioners, or a majority of them, shall, without delay, fill such vacancy or vacancies, and the person or persons that shall be so appointed shall be clothed with the powers of an original commissioner.

Vacancies.

SECTION 22. That the said improvement shall be commenced within two years and finished within five years from the passage of this act, otherwise the same shall become void, except so far as may be necessary to collect sufficient moneys to pay all debts lawfully contracted in and about the contemplated improvement, which shall be ascertained and apportioned upon all lands made liable for constructing said avenue, and shall be assessed and collected in like manner as hereinbefore provided for the collected assessments for grading, bridging and constructing the same, and an account thereof shall be filed in the court aforesaid for inspection of all persons interested, and the approval of the judges thereof, who shall make such order thereon as justice and equity shall require.

When improvement shall be commenced and finished.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of July, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1297.

An Act

In relation to binding by the trustees of the Home for Friendless and Destitute Children of the city of Wilmington, state of Delaware.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That indentures of apprenticeship, made or to be made by a corporation of the state of Delaware, called the Trustees of the Home for Friendless and Destitute Children, in the city of Wilmington, with any citizen of this state, by which any minor subject to its authority has been or shall be bound as an apprentice or servant, shall be as valid and effectual in all respects as a legal binding made in this state, of a minor resident within the same; and the law of this state, in relation to apprentices and servants, shall apply to all such cases of binding.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixth day of July, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1298.

An Act

Authorizing the prothonotary of Northumberland county to issue a wholesale and retail liquor license to Joseph Vankirk and J. H. Jenkins, partners, trading under the firm name of Joseph Vankirk and Company, in Northumberland borough, Northumberland county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the prothonotary of the courts of Northumberland county is hereby authorized and directed to issue to Joseph Vankirk and J. H. Jenkins, partners, trading under the firm name of Joseph Vankirk and Company, a license to sell liquor at wholesale and retail in the borough of Northumberland, upon

their payment of the regular license fee to the treasurer of the said county, the same as if the said license had been granted in open court in said county.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of July, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1299.

An Act

Extending the provisions of sections sixth and seventh of an act, entitled "An Act to incorporate the Pittsburg Driving Park Association," approved the —— day of May, A. D. one thousand eight hundred and seventy-one, and the ninth section of an act incorporating the New Castle Park Association, in Lawrence county, approved February ——, A. D. one thousand eight hundred and fifty-eight, to the Agricultural Society of Beaver county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the provisions of sections sixth and seventh of an act, entitled "An Act to incorporate the Pittsburg Driving Park Association," approved the —— day of May, A. D. one thousand eight hundred and seventy-one, and the ninth section of an act, entitled "An Act incorporating the New Castle Park Association," in Lawrence county, approved the twentieth day of February, A. D. one thousand eight hundred and fifty-eight, be and the same are hereby extended to the Agricultural Society of Beaver county.

SECTION 2. *Be it further enacted,* That the provisions of an act approved April ninth, A. D. one thousand eight hundred and seventy, an act to prevent the sale of cider in less quantities than five gallons in the borough of Beaver, Beaver county, be and the same is hereby repealed, so far as the same may be applicable to the grounds of said agricultural society.

Certain provisions revealed as to grounds of.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-first day of July, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1300.

An Act

To authorize Charles B. Dungan, surviving trustee under the will of Isaac Harbert, deceased, to sell certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles B. Dungan, surviving trustee named in the last will and testament of Isaac Harbert, late of the city of Philadelphia, deceased, for his daughter Emeline H. Dungan and her children, be and he is hereby authorized and empowered to sell, either at public or private sale, and to convey in fee simple, clear of all incumbrances, and discharged of all trusts, and without any liability on the part of the purchaser or purchasers thereof, all those lots and pieces of ground, with the improvements thereon, situate on the north-westerly side of Shoemaker's lane, in the Twenty-second ward of the said city, conveyed by the Manufacturers' National Bank of Philadelphia, to Henry D. Steever and Charles B. Dungan, in fee, as trustees under said will by deed, dated the fourth day of November, Anno Domini one thousand eight hundred and sixty-eight, recorded at Philadelphia, in deed book I T O, number one hundred and eighty-eight, page four hundred and thirty-four, et cetera, and by James S. Dungan, to said trustees by deed, dated the thirty-first day of October, Anno Domini one thousand eight hundred and sixty-eight, recorded at Philadelphia, in deed book I T O, number one hundred and eighty-eight, page three hundred and seventy-six, et cetera: *Provided however,* That the purchase money of said real estate shall be held by the said trustee, to and for the uses of the said trust under the said will, for the said Emiline H. Dungan and her children: *And provided further,* That before any sale or conveyance shall take place under this act, the said Charles B. Dungan, trustee, shall file in the orphans' court of the city and county of Philadelphia, a bond in double the amount of the sale of said property, with sufficient sureties, to be approved by the said court, for the faithful application of the proceeds of said sale.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-eighth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

RESOLUTIONS

PASSED AT THE SESSION OF EIGHTEEN HUNDRED AND SEVENTY-ONE.

No. 1.

Joint Resolution

Extending the time for the report of the civil code commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the report of the commissioners appointed under the provisions of the act approved April tenth, one thousand eight hundred and sixty-seven, to revise the civil laws of the commonwealth, be extended to the first day of February.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 2.

Joint Resolution

Relative to a centennial celebration at Philadelphia.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the governor and three persons, to be appointed by him, William A. Wallace and James H. Webb, speakers of the senate and house, with three members of each branch of the legislature, to be appointed by the speakers of the senate and house, respectively, shall be a committee of the state of Pennsylvania, to co-operate with committees from other states and local committees upon the subject of centennial celebration,

at Philadelphia, in one thousand eight hundred and seventy-six; said committee to stand until that time and to report to each intervening legislature, and make such suggestions and recommendations, from time to time, to the legislature, as they may think proper and expedient in reference to said centennial celebration.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 3.

Joint Resolution

In relation to the distribution of Smull's Legislative Hand-Book.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That the number of copies of Smull's Legislative Hand-Book, directed to be published annually, by the act of the twenty-seventh of March, Anno Domini one thousand eight hundred and seventy-one, entitled "A further supplement to the act of ninth of April, Anno Domini one thousand eight hundred and fifty-six, regulating the public printing and binding," shall be distributed among the senators and members of the house of representatives and senate, as follows, viz: one thousand to the senate, and two thousand to the house of representatives; and the said act is hereby amended to accord with this act.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 4.

Joint Resolution

Authorizing additional compensation to the members and officers of the present legislature.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, That for every day of this session of the legislature after the twelfth day of April, in this year, the senators, members of the house, officers and employees of the senate and house shall each be paid for each such day a sum equal to the amount which their pay would amount to, *pro rata*, for each day of this session, up to the said twelfth day of April, as provided for in the appropriation bill, and the state treasurer is hereby authorized and required to pay the same, on warrants drawn in the usual form; and that the persons employed by the clerks of the senate and house of representatives, in addition to those now authorized by law, shall receive the same pay as others in like positions during the present session.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 5.

Joint Resolution

Proposing an amendment to the constitution of Pennsylvania.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the following amendment of the constitution of this commonwealth be proposed to the people for their adoption or rejection, pursuant to the provisions of the tenth article thereof, to wit:

A M E N D M E N T .

Strike out the sixth section of the sixth article of the constitution and insert in lieu thereof the following: "A state

treasurer shall be chosen by the qualified electors of the state, at such times and for such term of service as shall be prescribed by law."

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fifteenth day of June, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 6.

Joint Resolution

Memorializing congress in reference to the removal of obstructions in the Ohio river.

WHEREAS, At the last session of the legislature of Pennsylvania, by joint resolution, a committee consisting of three members of senate, and five members of the house of representatives, was appointed to visit Washington in conjunction with other committees, to urge upon congress the necessity of regulating the construction of bridges across the Ohio river:

Whereas, The committee appointed in pursuance of said joint resolution, submitted to the senate and house of representatives the subjoined report, which was received and adopted:

And whereas, Since the adjournment of the last legislature a company incorporated by the states of Ohio and Kentucky, with the qualified consent of congress, have commenced and carried towards completion a bridge across the Ohio river at city of Cincinnati, which it is alleged, when completed upon present plans, will be a fatal obstruction to the commerce of said river:

First. Because the said bridge when completed will have only an elevation of seventy-two feet above low water mark, and only seven or eight feet above extreme high water.

Second. Because the piers are so located as to obstruct the navigation at all stages, being in the low and high water channel.

Third. Because the draw in said bridge is out of the channel, and inaccessible to all crafts at all stages of the water.

Fourth. Because said bridge is in no respect conformable to either the letter or spirit of the act of congress from which they derive the authority for constructing it; therefore,

Resolved by the Senate and House of Representatives. That we adopt, as the sense of this body, the report of said committee, and request His Excellency, Hon. John W. Geary, gov-

error of this commonwealth, to transmit the same at once, with a copy of the foregoing preamble and this resolution, to the president of the senate, and the speaker of the house of representatives in congress assembled.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The seventeenth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 7.

Joint Resolution

Urging upon congress the speedy passage of the bill now before it, giving soldiers of the late war, their widows and orphans, the right to locate and perfect title to one hundred and sixty acres of government land without occupancy.

WHEREAS, A bill has been presented and is now pending in congress, giving to each soldier, widow or orphans of soldiers, who served in the late war, the right to locate and perfect title to one hundred and sixty acres of government land without occupancy; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, That our senators are hereby instructed and representatives requested to make an earnest and united effort to secure the passage of said bill.

Resolved, That the governor be requested to transmit a copy of this preamble and resolution to each of our senators and members of congress.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 8.

Joint Resolution

To instruct our senators and request our members of congress to oppose the passage of the bill to sell and transfer the Allegheny arsenal, at Pittsburg.

WHEREAS, A bill is now pending in the senate and house of representatives of the United States in congress assembled, entitled "An Act to cause the removal of machinery, arms and stores now at the Allegheny arsenal, in the city of Pittsburg, and to sell the remaining property and appurtenances to the municipal authorities of the city of Pittsburg."

Be it therefore resolved, That our senators be instructed and our members in congress be requested to oppose the passage of the said act.

And be it further resolved, That his excellency the governor, be and is hereby requested to forward a copy of the foregoing preamble and resolution to them.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 9.

Joint Resolution

Providing for the pay of extra clerical force in the surveyor general's office.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be authorized and directed to pay, for the salaries of three extra clerks, retained in the surveyor general's office by reason of great increase of business in said office during the last year, at the rate of fourteen hundred dollars per annum each, from the first day of June, Anno Domini one thousand eight hundred and seventy, and until the next general appropriation act goes into effect; and the further sum of two hundred dollars to Geo. W. Phillips, for

extra clerical labor performed by him whilst acting as messenger of said department.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 10.

Joint Resolution

Authorizing the payment of H. C. Demming, for services as clerk in the contested election case of Price vs. Lynd.

Resolved by the Senate and House of Representatives, That the sum of three hundred dollars be paid to H. C. Demming, by the state treasurer, for his services as clerk in the contested election case of Price vs. Lynd.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE;
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 11.

Resolution

To pay the salary and mileage of Joseph A. Campbell, late a member of the legislature, to his widow, and of W. W. Watt, late a senator, to his widow.

Resolved by the Senate and House of Representatives, That the state treasurer be and he is hereby authorized and directed to pay to the widow of Joseph A. Campbell, a member elect to the house of representatives, the sum of one thousand dollars and mileage for the present session; and also to

the widow of William W. Watt, late a member of the senate from the First district, the sum of one thousand dollars and mileage for the present session.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 12.

Joint Resolution

Relative to the publication of the seventh volume of the transactions of the State Agricultural Society.

WHEREAS, The agricultural interests of Pennsylvania constitute one of the chief sources of its wealth and importance:

And whereas, The farmers throughout the state, through their local societies, and through their representatives in the state society, have requested that the publication of the transactions of the Pennsylvania State Agricultural Society shall be continued; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That there be published for distribution for the use of the senate, one thousand copies, and for the house of representatives, two thousand copies of the seventh volume of the transactions of the State Agricultural Society, uniform with volumes already issued by the state; said volumes also to contain the transactions of the Pennsylvania Fruit Growers' Society, and the reports of the superintendents of the Western, Central and Eastern experimental farms of the Agricultural College of Pennsylvania; the matter for the said volume to be compiled, collated, transcribed and furnished under the direction of the president and secretaries of the State Agricultural Society, and the expenses of the said compilation to be paid in the usual manner: *Provided*, The same shall not exceed twelve hundred dollars; three hundred additional copies of said volumes to be published for the State Agricultural Society, and two hundred for the Fruit Growers' Society.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The twentieth day of February, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 13.

Joint Resolution

Relative to the granting of land subsidies by the general government.

WHEREAS, The public domain, which is the natural inheritance of the people, is fast diminishing by the continual granting of land subsidies to railroad and other corporations:

And whereas, The continuance of such a policy is calculated to impair the interests and welfare of the poorer classes of the country; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That our senators in congress be instructed and our representatives in that body be requested to oppose the further passage of laws granting subsidies of public lands to railroad companies or corporations under any pretext whatever.

And be it further resolved, That the governor be requested to forward a copy of the foregoing resolution to each senator and representative of this commonwealth in the congress of the United States, with a request to present the same to their respective bodies.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 14.

Joint Resolution

Providing for the payment of John B. Davis, clerk in the contested election case of Steele *versus* Putney.

Resolved by the Senate and House of Representatives, That the state treasurer be authorized and required to pay to John B. Davis, clerk of the house contested case of Steele *versus* Putney, the sum of three hundred dollars.

JAMES H. WEBB,
Speaker of the House of Representatives.

WILLIAM A. WALLACE,
Speaker of the Senate.

APPROVED—The fourth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 15.

Joint Resolution

Requesting our senators and representatives in congress to vote for additional legislation, protecting emigrants to this country.

WHEREAS, The people of the United States have invited, and will cordially welcome the people of other lands to come among them, and join in the exercise of all the rights and privileges of American citizenship :

And whereas, Justice, patriotism and philanthropy demand the interposition of enlightened public sentiment and law for the protection of the rights and interests of all those who seek homes within our borders:

And whereas, Immigration is eminently a question of national concern, upon the proper protection, care and culture of which largely depends our future progress and prosperity, and the fullest development of our national resources ; therefore,

Be it resolved, That additional legislation, and a more rigid enforcement of existing laws on the subject of immigration, are necessary to prevent abuses and frauds, and protect the true interests of the immigrant while in transit to his destination, and to this end appropriate legislation is demanded of the federal government.

Resolved, That his excellency, the governor, be requested to transmit copies of the foregoing preamble and resolution to the senators and representatives of Pennsylvania, in congress, and that they be requested to aid in the enactment of such laws as will secure to the immigrant that protection, while in transit, which the government provides for its own citizens.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 16.

Joint Resolution

To pay the expenses of the sub-committee of the legislature, to whom were referred the report of the civil code commissioners.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the sum of five hundred dollars is hereby appropriated to each member of the sub-committee of the legislature, to whom was referred the report of the civil code commissioners, to pay for their expenses and services during the summer and fall of eighteen hundred and seventy, while discharging the duties of their appointment, and the sum shall be paid by the state treasurer to the members of the committee respectively, on the warrant of the speakers of the respective houses.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 17.

Joint Resolution

Requesting the senate and general assembly of the state of New Jersey to repeal the seventh section of an act, entitled "An Act for the preservation of clams and oysters," approved April fourteenth, Anno Domini one thousand eight hundred and forty-six.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the senate and general assembly of the state of New Jersey be and they are hereby requested to repeal the seventh section of an act, entitled "An Act for the preservation of clams and oysters," approved April fourteenth, Anno Domini one thousand eight hundred and forty-six, as being in contravention of that comity between the several states as provided for in the second section of article four of the constitution of the United States, and detrimental to the interests and con-

flicting with the rights of large numbers of the citizens of Pennsylvania.

Resolved, That the governor be requested to transmit a copy of the foregoing resolution to the governor of the state of New Jersey, with a request that the same be laid before the legislature of that state.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 18.

Joint Resolution

To authorize the printing of the report of the fish commissioner.

Resolved by the Senate and House of Representatives, That one thousand copies of the report of the fish commissioner be printed for the use of the senate, and two thousand for the use of the house of representatives: *Provided*, That the printing and binding be done at the prices fixed in the law regulating the public printing, and subject to the same deductions as any other printing under the contract.

JAMES H. WEBB,

Speaker of the House of Representatives.

J. D. DAVIS,

Speaker of the Senate *pro tem*.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 19.

Joint Resolution

Providing for the payment of the sergeant-at-arms and witnesses in attendance upon the general judiciary committee of the senate, charged with an investigation into the amount of tolls charged by certain railroad companies in the mining regions of the state; and also for the payment of the expenses of the house select committee to visit the harbor of Erie, and the house committee of ways and means in visiting Danville hospital.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the chairman of the general judiciary committee of the senate, charged with an investigation into the amount of tolls charged by certain railroad companies in the mining regions of the state, be and he is hereby authorized to draw his warrant on the state treasurer in favor of the sergeant-at-arms of the senate for the expenses and fees of said sergeant-at-arms and the witnesses summoned before said committees in said case; and also in favor of the clerk of the senate for the amount disbursed by said clerk in payment of witnesses in the same case, on bills certified by the chairman of said committee, and approved by the auditor general; and that the chairman of the select committee of the house of representatives, on matters connected with the harbor of Erie, and the chairman of the house committee on ways and means, charged with the investigation of matters connected with the insane hospital at Danville, be also authorized to draw their warrants on the state treasurer for the expenses of said committees, on bills to be certified by the respective chairmen of said committees, and approved by the auditor general: *Provided*, That the expenses of the two last named committees shall not exceed one thousand dollars.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 20.

Joint Resolution

Amending the act for the relief of Jacob Ziegler.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the act, entitled "An Act for the relief of Jacob Ziegler," be so amended as to include compensation for subsistence of men who actually went into the service of the United States.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 21.

Joint Resolution

To pay certain expenses of the finance committee of the senate.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and directed to pay to J. T. Colohan, sergeant-at-arms of the senate, the sum of one hundred and ninety-nine dollars and twenty cents, being the amount expended by him in defraying the expenses of the finance committee of the senate during their recent visit to the Danville Lunatic Asylum, said account to be certified by the chairman of said committee; and the sum of twenty-eight dollars to William J. Ovens, sergeant-at-arms of the house of representatives, for expenses of serving notice of election to fill vacancy occasioned by the decease of Joseph A. Campbell, of the Seventeenth legislative district of Philadelphia.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 22.

Joint Resolution

Directing the attorney general to cause to be issued a writ of *scire facias* against the Erie Railway Company.

WHEREAS, By an act, entitled "An Act to authorize the New York and Erie Railroad Company to construct said road through a portion of Susquehanna county, in the state of Pennsylvania," approved the sixteenth day of January, Anno Domini one thousand eight hundred and forty-one, and a supplement thereto, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and forty-six, and a supplement thereto, approved the first day of April, Anno Domini one thousand eight hundred and forty-eight, said company was authorized, among other things, to construct its road up the valley of the river Delaware, in the county of Pike, within this commonwealth, upon the condition, among others, that said company should, by the first day of October, Anno Domini one thousand eight hundred and fifty-two, erect a permanent and substantial bridge across the river Delaware, between Sim's Clip and the Rope ferry at Matamoros, with a double track, one of which shall be suitable for laying a railroad track thereon, which bridge it shall be the duty of the said company forever thereafter to keep in good order and repair:

And whereas, Said company, in compliance with the said act and supplements, did construct its road in said county of Pike, and did also erect a bridge across said river:

And whereas, All the corporate property and franchises of said company, by virtue of the laws of the state of New York and of this commonwealth, became vested in and are now owned, possessed and enjoyed by the Erie Railway Company, subject to the duties, penalties, obligations, et cetera, imposed by the laws of this commonwealth on said New York and Erie Railroad Company:

And whereas, Said bridge, in the spring of the year, (March,) one thousand eight hundred and seventy, by reason of age and decay fell into said river, and the wood work thereof is utterly destroyed and gone, and the said Erie company, upon request by the citizens of this commonwealth residing along and near said river, in the vicinity of said bridge, to re-build the bridge across said river, neglect and refuse to re-build the same, the said Erie Railway Company claiming it is no longer legally liable to re-build and keep in good order and repair a bridge across said river, as is provided by said act and supplement:

And whereas, The refusal of said company to re-build and maintain said bridge is a source of great damage and annoyance to the citizens of this commonwealth, residing as aforesaid, compelling them to cross said river in scows, and portions of time in winter said river is impassable, as well as a

direct violation upon the part of said company of the laws of this commonwealth; therefore,

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the attorney general of this commonwealth be and he is hereby directed, within thirty days from the passage of this resolution, to proceed against said Erie Railway Company, as is provided by said act and its supplements, by a writ of *scire facias*, for its neglect and refusal to re-build said bridge, and to keep in good order and repair a bridge across said river, in compliance with the provisions of said act of assembly and its supplements, and the same to prosecute to judgment with diligence.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The twenty-fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

APPENDIX—1857.

No. 1301.

A Supplement

To an act to incorporate the Mahoning and Susquehanna Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for the commencement of the construction of the Mahoning and Susquehanna Railroad be and the same is hereby extended for a further period of three years from the nineteenth day of April, Anno Domini one thousand eight hundred and fifty-seven, without any forfeiture of the charter of the said Mahoning and Susquehanna Railroad Company: *Provided,* That the enrolment tax be first paid on the said act of incorporation.

J. LAWRENCE GETZ,

Speaker of the House of Representatives.

DAVID TAGGART,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-seven.

JAS. POLLOCK.

APPENDIX—1860.

No. 1302.

An Act

To incorporate the International House Hotel Company.

- SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Corporators.** That James D. Brown, Lewis Audenreid, George Bartolet, Franklin Wilson, Leonard Benkert, George Howell, George M. Keim, Charles J. Field, William D. H. Serrill, Wardale G. M'Allester, Samuel M. Wickersham and Richard Ludlow, and their associates, and all persons who may now or hereafter may be holders of the stock hereinafter mentioned, shall be and they are hereby declared to be a body politic or corporate, by the style of International House Hotel Company, to have perpetual succession, to be capable of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take, either by absolute conveyance in fee simple or upon ground rent, and in case of a conveyance upon ground rent, with power to execute the necessary covenant for the securing the payment thereof, such real estate as may be necessary and proper for the construction of a hotel in the city of Philadelphia, with such supplementary buildings as may be adapted to and for part of the general plan and design thereof, for the accommodation and use of any parties who may be desirous of renting and occupying the same, and the said real estate, or any part thereof, when, in the opinion of the said corporation, it may be proper so to do, to sell and convey to any person or persons who may be desirous of purchasing the same: *Provided,* That the hotel building to be erected by said company shall not be located west of Broad street or north of Race street, in the said city of Philadelphia.
- Style.**
- Powers and privileges.**
- Proviso.**
- Capital stock.** *SECTION 2.* That the capital stock of said corporation shall not exceed two hundred thousand dollars, divided into eight hundred shares, of two hundred and fifty dollars each, and that it shall be held as personal property, and as such be transferred under such regulations as the corporators shall judge convenient.
- Meeting for election of managers, &c.** *SECTION 3.* That a general meeting of the corporators shall be annually held, on the first Monday of May, for the election of five managers, and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not, for that cause, be dissolved, but such meet-

ing or election shall take place as soon thereafter as may be, one week public notice thereof being first given in one daily newspaper in the city of Philadelphia.

SECTION 4. The said company shall have power to issue bonds to one-half the amount of the capital stock, secured by mortgage upon the real estate owned by the said company, the said bonds to bear interest at the rate of seven per cent. per annum, and may be sold at any rate of discount deemed advisable by the managers or a majority of them: *Provided*, That the bonds shall not be issued for a less sum than five hundred dollars. May issue bonds

SECTION 5. That the election of managers shall be by ballot from among the corporators; and that in the enactment of by-laws for the government of the corporation and its affairs, and in the decision of all questions, whether of election of officers or disfranchisement of corporators, either because of their delinquency in paying for the amount of stock by them purchased at the corporation, or for other causes, and on all questions at the meetings of the corporation, the corporators present, either in person or by proxy, shall severally vote once for each share of stock held by them. Election of managers.
Votes.

SECTION 6. That the managers shall continue in office until their successors be elected, shall elect a president from among themselves, shall supply vacancies in their number, whether occasioned by death, resignation or refusal to act, and shall have the general and entire control of the affairs and interests of the company, except so far as may be otherwise provided by the corporators; three members shall be a quorum at these meetings. Duties and powers of managers.
Quorum.

SECTION 7. That until other officers shall be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation and have authority as such. Corporators to be managers until election.

SECTION 8. That if the said corporation shall at any time hereafter misuse or abuse any of the chartered privileges hereby granted, the legislature may at any time resume all and singular the rights, liberties, privileges and franchises hereby granted to the said company. Abuse of chartered privileges relative to.

JOHN M. THOMPSON,

Speaker of the House of Representatives *pro tem*.

WILLIAM M. FRANCIS,

Speaker of the Senate.

APPROVED—The twenty-fourth day of March, Anno Domini one thousand eight hundred and sixty.

WM. F. PACKER.

APPENDIX—1862.

No. 1303.

An Act

To change the name of John R. Welles to John Welles Hollenback.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from the passage of this act the name of John R. Welles, of Wyalusing, Bradford county, Pennsylvania, shall be and hereby is changed to John Welles Hollenback; and the names of his children, Walter Henry Welles and Emily B. Welles, shall be and are hereby changed to Walter Watson Hollenback and Emily Beard Hollenback; and the said John R. Welles shall henceforth be entitled to assume the name of John Welles Hollenback, and to sue and be sued, and to transact business and enjoy all legal rights in and by the name of John Welles Hollenback.

I, John A. Smull, resident clerk of the house of representatives of Pennsylvania, do hereby certify that the foregoing is a correct *verbatim* copy of the original act, entitled "An Act to change the name of John R. Welles to John Welles Hollenback," as the same remains on the files of the house of representatives of this commonwealth, and which by the journal of said house of representatives, for the session of 1862, appears to have been signed by the governor of this commonwealth on the 27th day of April, A. D. 1862, and information thereof, by message, transmitted to the house of representatives.

JNO. A. SMULL,

Resident Clerk of the House of Representatives.

I hereby certify, in compliance with the provisions of a joint resolution of the senate and house of representatives to supply certain records and papers, approved March 16, 1864, that the foregoing is a true and correct copy of a bill (No. 397, house file, 1862) as copied from the original records on file in the house of representatives, in which said bill originated, which passed the senate and house of representatives and was approved by the governor on the 27th day of April, 1862, and that the enrolment tax has been paid thereon.

In witness whereof, I have hereunto set my hand and affixed the seal of the secretary's office, at Harrisburg, this fifteenth day of June, A. D. 1871.



F. JORDAN,

Secretary of the Commonwealth.

No. 1304.

A Supplement

To an act extending the charter of the Pennsylvania Salt Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the extension of the business of the Pennsylvania Salt Manufacturing Company to the mining, manufacturing, refining and vending of coal oil, carbon oil and other chemical substances or compounds, at the discretion of the board of directors of the said company, is hereby authorized as fully and with like effect as if such authority had been expressly given by the act to which this is a supplement.

I, Jacob Ziegler, clerk of the senate of the commonwealth of Pennsylvania, in conformity with the joint resolution to supply certain records and papers, approved March sixteenth, eighteen hundred and sixty-four, do hereby certify to the secretary of the commonwealth, that the foregoing is a true and accurate copy of the original bill, as the same passed the senate on the twenty-first day of January, eighteen hundred and sixty-two, and remains on the files thereof, and which, by the journal, appears to have been approved by the governor on the twenty-first day of February, eighteen hundred and sixty-two.

In testimony whereof, I have hereunto set my hand, this twenty-fourth day of March, one thousand eight hundred and seventy-one.

J. ZIEGLER,

Clerk of Senate.

The above and foregoing bill, (No. 19, of senate file of 1862,) entitled "A supplement to an act extending the charter of the Pennsylvania Salt Manufacturing Company," approved by the governor on the twenty-first day of February, 1862, and the enrolment tax paid thereon, and the act having subsequently been lost, as recited in the preamble of the joint resolution to supply certain records and papers, approved March sixteenth, 1864, I hereby certify, in compliance with the provisions of said joint resolution, that the above and foregoing is a true and correct copy of said act, copied by me from the original records on file in the senate, in which said bill originated.

{ L. S. } In testimony whereof, I have hereunto set my hand and caused the seal of the secretary's office to be affixed, this twenty-fourth day of March, A. D. 1871.

F. JORDAN,

Secretary of the Commonwealth.

APPENDIX—1864.

No. 1305.

Supplement

To the act to incorporate the Pittsburg Bridge Company, approved the sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Pittsburg Bridge Company are hereby authorized and empowered to erect, construct, set up and finish a bridge from the most convenient street in Allegheny city, to connect with the bridge about to be built by the said Pittsburg Bridge Company across the Monongahela or Ohio rivers, at or near their junction with the Allegheny river, when completed to form a tripartite bridge.

HENRY C. JOHNSON,
Speaker of the House of Representatives.

JOHN P. PENNEY,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

APPENDIX—1865.

No. 1306.

A Supplement

To an act, entitled "An Act to incorporate the Jamestown and Franklin Railroad Company," authorizing the issue and sale of bonds to the amount of five hundred thousand dollars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Jamestown and Franklin Railroad Company are hereby authorized to borrow any sum of money, not exceeding the sum of five hundred thousand dollars, in addition to the amount mentioned in the second section of the act to which this is a supplement, and to issue bonds therefor, with or without coupons attached; and the directors of said company shall have power to give such bonds such preference or security, by mortgage or otherwise, as they may deem advantageous: *Provided,* That no bond shall be for a less sum than one hundred dollars, and that such rate of interest, not exceeding seven per centum per annum, as may be agreed on shall be lawful.

A. G. OLMSTED,

Speaker of the House of Representatives.

WILLIAM J. TURRELL,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and sixty-five.

A. G. CURTIN.

APPENDIX—1866.

No. 1307.

An Act

To incorporate the Kittanning Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That Joseph Bufflington, H. N. Lee, Philip Mechling, James Mosgrove, E. S. Golden, Alexander Reynolds, John W. Rohrer, Philip Templeton, Simon Truby, Junior, and John A. Colwell, be and they are hereby appointed commissioners, and they or a majority of them are hereby authorized to carry into effect the establishment of a water company, to be located in or near the borough of Kittanning, and to be styled the Kittanning Water Company, for the purpose of introducing from any stream of water within the county of Armstrong, into the said borough of Kittanning, a sufficient supply of pure water; said company shall have a capital stock of fifty thousand dollars, to be divided into shares of fifty dollars each, and shall be organized, managed and governed as provided by the act, entitled "An Act to provide for the incorporation of gas and water companies," approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, and be subject to all the restrictions and provisions, and have and enjoy all the rights and privileges contained in said act, except as herein otherwise authorized and provided.

Style.

Purpose.

Capital stock.

How organized,
&c.May take possession of lands,
&c., upon giving bond to owners.

SECTION 2. That it shall be lawful for the said company, by its agents or employees, to enter upon and take possession of any lands or enclosures, stream or streams of water within the county of Armstrong, which they may deem necessary for the purposes of this act, upon giving to the owner or owners thereof a bond in sufficient amount to cover all damages that may thereafter be assessed, in accordance with the provisions of the eleventh section of said act, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven, which bond shall have two sureties, to be approved by one of the judges of the court of common pleas of Armstrong county, and shall be filed in the office of the prothonotary of said court, prior to the said company taking possession as aforesaid, upon which said bond the owner or owners of any property taken by said company, in pursuance of the provisions of this act, his or theirs and assigns shall have the right to sue for and recover thereon the amount of damages assessed, in accordance with the provisions of the said eleventh

Suits for damages.

section of the act approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-seven.

SECTION 3. That the said Kittanning Water Company, for the purpose of carrying into full effect the objects of this act, may borrow any sum or sums of money, not exceeding twenty thousand dollars, and issue their bonds therefor at such rates of interest, and in such sums and upon such terms of payment as be agreed upon between the parties, and secure the payment of said bonds by mortgaging their corporate property, rights and franchises: *Provided*, That no bond shall be issued for a less denomination than one hundred dollars.

JAMES R. KELLEY,

Speaker of the House of Representatives.

DAVID FLEMING,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

No. 1308.

A Supplement

To an act to incorporate the Ligonier and Latrobe Railroad Company, approved April fifteenth, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act to incorporate the Ligonier and Latrobe Railroad Company, approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-three, be and the same is hereby revived, and the time for the commencement of the building of said road shall be within three years, and the time for the completion of said road shall be within six years from the passage of this act.

SECTION 2. That the following named persons be added additional corporators, to wit: Joseph W. Moorhead, John M'Farland, Robert M. Graham, Francis Smith, Noah M. Marker, Daniel Steck, John W. Johnson and Thomas Pollock, and that the number of directors be seven.

JAMES R. KELLEY,

Speaker of the House of Representatives.

DAVID FLEMING,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

No. 1309.

An Act

To incorporate the Osceola Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That S. B. Brooks, Edward Clark and Thomas Woods, their associates, successors and assigns, be and they are hereby created into a body politic and corporate, under the name, style and title of the Osceola Improvement company, by which name they shall have perpetual succession, and may have a common seal, and sue and be sued, implead and be impleaded, and enjoy all the privileges pertaining to a corporation under the laws of this commonwealth; that said company shall locate its office at Osceola, in the county of Tioga, and may hold, possess and enjoy, to them and their successors, any real estate, not exceeding five hundred acres, not more than four hundred of which shall at any one time be situate within the county of Tioga; and said company may cultivate and improve all and any real estate held by them, and erect any saw-mills, buildings or store-houses upon the same, and from time to time may sell, grant, devise or dispose of, on such terms as they may deem proper, the whole or any part thereof, in fee simple, or for any less estate; and they shall have full power and authority for the purchase, storage, sale and exchange of such lumber or other commodities as the board of directors may direct; the capital stock of said company shall be limited to thirty thousand dollars, to be divided into shares of one hundred dollars each, with power to increase the same by a vote of the directors; the board of directors shall consist of five directors, of whom three shall constitute a quorum, elected from the stockholders, and said board shall have all the powers authorized in this act; and until the first election the persons named in this act shall be directors; that said company shall have the right to improve said lands, and turnpike the same, and may construct such plank roads or railroads, not exceeding six miles in length, as may connect any of their lands or works of said company with any railroad or railroads built or hereafter built, and may use and operate the same in such mode and by such means as said directors may deem expedient; and in the location or construction of such road said corporation shall also have the same powers as are granted by the act of May fifth, Anno Domini one thousand eight hundred and thirty-two, entitled "An Act regulating lateral railroads," under which damages may be assessed in the manner provided by said act: *Provided*, The stockholders of said company shall be individually liable to workmen and mechanics and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as provided for in the act approved

Corporation.

Title.

Powers and
privileges.

Capital stock.

Directors.

Corporation
may improve
lands, &c.Individual lia-
bility of stock-
holders.

April fifth, Anno Domini one thousand eight hundred and fifty-three; and said company shall pay to the commonwealth a bonus of one-half of one per cent. on said capital stock, in four equal annual instalments; said company may borrow money at a rate of interest not exceeding eight per cent., and give a mortgage therefor; and the stockholders shall annually elect a board of five directors, a majority of whom shall be a quorum, for the management of the affairs of the corporation, who shall serve for one year; and of the time and place of said election public notice shall be given, in such mode as may be prescribed by the by-laws; and until the said election the said corporators, or a majority thereof, may adopt by-laws and have all the powers of directors; the directors shall elect one of their number president, and such other officers as they may direct, and fix their compensation; and by a vote of its stockholders, at a meeting called for the purpose, may locate the office of the company at such other place as they may deem expedient; certificates of stock shall be issued, which shall be assignable and transferable, subject to such conditions as the directors may prescribe, and shall be treated in all respects as personal property; said capital stock may be subscribed for in such sums as may be directed by the corporators as aforesaid, or by resolution of the board, for the time being, and five dollars per share shall be paid at the time of subscription, and the remaining instalments to be fixed by the by-laws; and said company may mortgage its lands and franchises, or lease the same, and on such lease, or foreclosure of such mortgage, the purchaser or lessee shall possess the interests mortgaged as fully as said company theretofore did; and said company may issue bonds, with or without coupons attached, to an aggregate not exceeding the authorized capital stock of said company, which may be secured upon all or any of the property of said company, and may alienate, convey, and have all other powers in relation to each piece or parcel of such property as is provided for any thereof; but no increase of capital stock shall exceed twice the amount before mentioned; said company are hereby authorized to employ and pay such agents or workmen as may be necessary or convenient to carry out the aforementioned powers; and the said company may convey or transport, by such mode as they may deem expedient, any commodity or chattel whatever, from any of their lands or store-houses, to any road within three miles distance, or to any landing, and in doing so may use or occupy any route theretofore laid out or occupied under any of the foregoing provisions.

Bonus.

May borrow money and give mortgage therefor.

Election of directors.

Officers.

Location of office.

Certificates of stock.

Subscriptions to stock.

May mortgage lands, &c.

May issue bonds

May alienate, convey, &c.

May transport by such mode as may be deemed expedient.

JAMES R. KELLY,

Speaker of the House of Representatives.

DAVID FLEMING,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-six.

A. G. CURTIN.

APPENDIX—1867.

No. 1310.

A Supplement

To the act incorporating the Clarion and Allegheny River Turnpike Road Company.

May construct
branches.

Proviso.

Grade.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Clarion and Allegheny River Turnpike Road Company shall have power to lay out and construct any number of branches from the main road, under the same privileges and restrictions as contained in the act to which this is a supplement: *Provided,* That no branch constructed under the provisions of this supplement shall exceed ten miles in length.

SECTION 2. That the said company shall be and it is hereby authorized to construct the said turnpike road and branches at any grade or elevation from a horizontal line not to exceed five degrees.

JOHN P. GLASS,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

No. 1311.

An Act

To incorporate the Allegheny and Saw Mill Valley Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* Commissioners. That Alexander Watson, John Burgess, Hugh Richardson,

Simon Braham, George W. Evans, Joseph Standt, Hay Walker, John W. Riddell, W. J. Kountz, John A. Myler, W. W. Ackley and William Peters, or a majority of them, be and are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Allegheny and Saw Mill Valley Passenger Railway Company, with the power to lay out and construct a railway of single or double track for cars, from the intersection of Ohio and East streets, in Allegheny city, along East street to the Allegheny city line; thence along the Saw Mill Valley plank road to John Flocher's rope walk; and the said company shall have power to convey passengers, to purchase and sell real estate and to erect thereon such improvements as may be necessary for the purposes of such company, and also to purchase and hold the necessary equipments for the conveyance of passengers on said railway.

Title.
Construction of railway authorized.
Route.
Powers.

SECTION 2. The capital stock of said company shall consist of one thousand shares, of fifty dollars each, with power to increase the same, by a vote of a majority of its stockholders, to any amount required to build and equip said railway, and also to issue bonds equal to the amount of its capital stock for said purpose; the letters patent to issue whenever four hundred shares have been subscribed, and five dollars per share been paid in.

Capital stock.
May issue bonds

SECTION 3. The said company shall have authority to connect with the Pittsburg, Allegheny and Manchester railway, on Ohio street, in Allegheny city; and in its mode of organization and its powers and privileges, shall have and enjoy, and be governed in all respects by the charter of the said Pittsburg, Allegheny and Manchester Railway Company, approved on the twelfth day of April, one thousand eight hundred and fifty-nine.

May connect with Pittsburg, Allegheny and Manchester railway.
Organization, &c.

JOHN P. GLASS,
Speaker of the House of Representatives.
LOUIS W. HALL,
Speaker of the Senate.

APPROVED—The first day of March, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

No. 1312.

An Act

To incorporate the Corn Exchange Wharehousing Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.	That William B. Thomas, Francis M. Brooke, Nathan Brooke, George W. Mears, William M'Crury, E. H. Sampson and George L. Busby, and their associates and successors, be and they are hereby incorporated into a body corporate and politic,
Title.	by the name, style and title of the Corn Exchange Warehousing Company of Philadelphia, and by that name shall have perpetual succession, and be able and capable in law to sue and
Powers and privileges.	be sued, plead and be impleaded, to have a common seal, and be capable of receiving and granting in its corporate name, property, real, personal and mixed, and of using and applying such property for the purpose of receiving, elevating, preserving and storing all kinds of grain and cereal products, and for this purpose may erect or rent such houses or other buildings and works as they may find necessary for their business.
Rules and by-laws.	SECTION 2. That the said company shall have power to make all necessary rules and by-laws to carry out the objects of the corporation, and the same to alter, amend, add to or repeal at pleasure, and shall have power to issue certificates, representing the capital stock as hereinafter provided; and that in issuing receipts for personal property received by them in the prosecution of their business, the said company shall be subject to all existing acts, and be entitled to the advantages of all subsequent legislation hereafter enacted, relative to goods, wares and merchandise in store or in transit.
Certificates of stock.	SECTION 3. That the incorporators named in this act, or a majority of them, shall serve as directors until their successors shall have been elected, in accordance with the by-laws; and it shall be lawful for them to establish and locate the offices necessary for the business of the company.
Subject to.	SECTION 4. That the capital stock of said company shall be divided into shares of the par value of one hundred dollars each, and shall consist of one thousand shares, with the privilege of increasing the same to not exceeding five thousand shares, to be paid for by the subscribers thereto, in instalments of such amounts and at such intervals of time, not less than thirty days, as may be required by the directors.
Corporators to be first directors	SECTION 5. That dividends of so much of the profits as the directors may deem expedient may be declared from time to time, but no dividend shall in any case be made impairing the capital stock of the company; and any director consenting to a dividend impairing the capital stock, shall be personally liable to every person suffering loss thereby.
offices.	
Capital stock.	
Dividends.	

JOHN P. GLASS,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

No. 1313.

An Act

To incorporate the Sierra Nevada Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That C. G. Gray, Daniel Came, R. W. Wilson, J. D. Smith, Richard H. Camp, and their associates, or any three of them, be and they are hereby created a body politic by the name, style and title of the Sierra Nevada Mining Company, and by such name and title shall have perpetual succession, and shall be capable of suing and being sued, impleading and being impleaded, and of granting and receiving, in its corporate name, property, real, personal and mixed, and of holding and improving, or disposing of by sale or otherwise, of all their lands or any part thereof, interest in or liens thereupon, or the products of the same in any of the United States or the territories thereof, the same as a natural person, and to obtain therefrom any and all minerals and other valuable substances, whether by working or opening, leasing or disposing of privileges to work or mine or sell such lands, or any part thereof, and to erect houses and such other buildings or works as may properly appertain to said business, and to use, let, work or sell the same, and to dispose of the products of all such lands, mines and works as they may deem proper.

Corporators.

Title.

Powers and
privileges.

SECTION 2. That the said company shall have power to make such by-laws as they shall deem proper to enable them to carry out the objects of the corporation, and the same to alter, amend, add to or repeal at their pleasure: *Provided,* That such by-laws shall not be contrary to the constitution of this commonwealth or the provisions of this act, and to adopt a common seal, and the same to alter at pleasure, and to issue certificates of stock and bonds representing the value of their property, and securing the same upon the property in such form, and subject to such regulations as they may from time to time by their by-laws prescribe, and to regulate and prescribe in what manner and form their contracts shall be executed.

By-laws.

Seal.

Certificates of
stock and bonds

Contracts.

SECTION 3. That the corporators named in this act shall elect persons to serve as directors, a majority of whom shall constitute a quorum for the transaction of business, and shall hold their offices until their successors shall have been elected in accordance with the by-laws; and it shall be lawful for said company to establish the necessary offices for the business of the company wherever their business is located, and to have their principal office in the United States, in such place as they may deem expedient, at which place it shall be lawful to hold all meetings for the transaction of the business of the company; and the stockholders of said company are authorized to change the name and title of said company, which

Directors.

Offices.

Change of name

change shall be valid upon filing with the secretary of the commonwealth a certificate signed by the president, attested by the seal of said company: *Provided*, Said company shall not hold any lands in Pennsylvania.

JOHN P. GLASS,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

No. 1314.

An Act

To extend the time for payment of the enrolment tax on an act to incorporate the Osceola Improvement Company, approved April eighteenth, Anno Domini one thousand eight hundred and sixty-six, and amending said act by extending thereto the provisions of the second section of act, number seven hundred and seventy-one, approved March twenty-fifth, one thousand eight hundred and sixty-five.

SECTION 1. *Be it enacted by the Senale and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the culhority of the same,* That the time for the payment of the enrolment tax on the act to incorporate the Osceola Improvement Company, approved April eighteenth, Anno Domini one thousand eight hundred and sixty-six, be and the same is hereby extended for the period of one year; and that the said act be so amended that any damages to property, resulting from the use or occupation of the lands of others, shall be estimated in the mode provided in the second section of the act, number seven hundred and seventy-one, pamphlet laws one thousand eight hundred and sixty-five, approved March twenty-fifth, one thousand eight hundred and sixty-five, the provisions of which section are hereby extended to the said act incorporating the Osceola Improvement Company, as if originally embraced in said bill.

JOHN P. GLASS,

Speaker of the House of Representatives.

LOUIS W. HALL,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and sixty-seven.

JNO. W. GEARY.

APPENDIX—1868.

No. 1315.

An Act

To exempt the indebtedness or moneys loaned to the Saint John's English Reformed church of the city of Allentown, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the indebtedness or moneys loaned to the Saint John's English Reformed church, of the city of Allentown, not exceeding the sum of ten thousand dollars, be and the same is hereby exempt from taxation, except for state taxes.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

No. 1316.

A Supplement

To an act, entitled "An Act for the incorporation of several bridge companies, and for other purposes," approved the fourth day of April, Anno Domini one thousand eight hundred and thirty-eight, authorizing the board of managers of the Millerstown Bridge Company to increase their capital stock, changing the ratio of votes on the capital stock of said company, and the time of holding the annual elections, and the manner of giving notice thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of managers of the Millerstown Bridge Com-

Managers may
increase capital
stock.

capital stock of said company to an amount not exceeding eight hundred and eighty shares, the par value being twenty dollars per share.

Time of holding
annual elec-
tions.

SECTION 2. That the time of holding the annual elections of said company shall be hereafter on the first Monday of December, instead of the first Monday of January, as provided in the act to which this is a supplement, of which due notice shall be given by at least five written or printed advertisements, put up in the most public places in the county of Perry; at which elections each stockholder shall be entitled to one vote for each share of stock held by him, her or them.

Notice.

Votes.

Repeal.

SECTION 3. That all acts and parts of the act to which this is a supplement, inconsistent herewith, are hereby repealed.

ELISHA W. DAVIS,

- Speaker of the House of Representatives.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

No. 1317.

In Act

To incorporate the Elk Lick Coal, Lumber and Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That C. J. Stutzman, Michael Hay, Hiram Findley, Junior, David Hay, Jacob D. Livengood, Peter Wilhelm, Samuel M. Saylor, Samuel J. Leighty, William Eppinger, Peter Myer and Daniel C. Meese, their associates and successors, be and they are hereby created a body corporate and politic, by the name, style and title of the Elk Lick Coal, Lumber and Iron Company, by which name said corporators and their successors shall have perpetual succession, and enjoy all the privileges and franchises incident to a corporation.

Corporators.

Title.

Powers and
privileges.

SECTION 2. That the said corporation shall be able and capable in law to take, receive and hold in fee simple, or for any less estate, lands and mineral rights, with their appurtenances, in Somerset county, not exceeding five thousand acres at any one time; and said corporation shall have and enjoy all the rights, powers, privileges and franchises, and be subject to all the limitations and restrictions of an act incorporating the Powelton Coal and Iron Company, approved the first day of May, Anno Domini one thousand eight hundred and sixty-one,

and the several supplements thereto, except as is hereinafter provided; and the said company shall have the right to purchase coal, not mined by the said company, and buy, manufacture, transport to market and dispose of lumber, and shall have the right to connect any railroad they may construct with any other railroads now constructed, or hereafter to be constructed, in Somerset county.

SECTION 3. The directors of said Elk Lick Coal, Lumber and Iron Company, or a majority of them, may from time to time increase the capital stock of said company to such an amount as they may deem necessary to prosecute their business: *Provided*, That the same shall in no event exceed the sum of one million of dollars. Increase of capital stock.

SECTION 4. This corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three. Bonus and taxes on dividends.
Individual liability.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

No. 1318.

An Act

To incorporate the Johnstown and Somerset Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob M. Campbell, C. B. Ellis, James Potts, William H. Rose, George W. Osborne, Evan Roberts, Joseph Koontz, John M. King, D. J. Morrell, James Morley, James M. Swank, H. D. Woodruff, John Louman, M. D., Lewis Plitt, Jacob Frenheiser, Conrad Sappees, Cyrus Elder, James P. M'Conaughy, W. J. Rose, Jacob Levergood, David Dibert and F. W. Hay, Commissioners.

Title. Subject to.	<p>of the county of Cambria, and Wm. J. Bear, John D. Roddy, Cyrus Myers, Ed. Scull, Isaac Hugas, John O. Kemmill, William Picking, Isaac Kauffman, John Mung, John H. Snyder, Peter Levy and David Specht, of Somerset county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Johnstown and Somerset Railroad Company, with all the powers, and subject to all the duties, restrictions and regulations prescribed by an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth day of May, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered and supplied by the provisions of this act: <i>Provided</i>, That it shall be lawful for any three commissioners named in this section, immediately after the passage of this act, to open books for receiving subscriptions to the capital stock of said company, and said subscriptions shall be made payable to the treasurer of said company in twelve monthly instalments, the first thereof within thirty days after letters patent shall have been issued by the governor: <i>And provided further</i>, That it shall be lawful for any railroad company that is now, or hereafter may be, chartered by the commonwealth of Pennsylvania, to subscribe to the capital stock of the said company.</p>
Subscriptions.	
Capital stock.	<p>SECTION 2. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each: <i>Provided</i>, That the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, to increase the capital stock, if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act; of which meeting two weeks' notice shall first be given, in one or more papers published at Johnstown and Somerset, stating the object of said meeting; and for the purpose of completing and equipping the said railroad, the said company shall have the power of issuing from time to time, bonds in the corporate name and under the common seal of said company, with coupons attached to the same, payable at such times and upon such terms, and at such rate of interest, not exceeding seven per centum per annum, as they may deem expedient; said bonds shall not exceed in the whole the sum of one million of dollars, and it shall be lawful for the said company to secure the payment of said bonds and coupons, to execute a mortgage on all or any part of the real property of said company, and if the mortgage shall so stipulate, the president and directors of said company and their agents may continue in possession and management of said property so mortgaged, without prejudice to the security of said mortgage; and the said company may sell and dispose of the bonds by this section authorized to be issued, for the best price or prices which can be obtained for the same, and the purchase of said bonds so to be issued as aforesaid, shall not be deemed usurious; and the said bonds may with the consent of the of the holders thereof, and the directors of said railroad company, be converted into the capital stock of said company at</p>
Increase.	
May issue bonds	
May secure bonds by mortgage on property.	

par: *Provided*, That no such bond shall be issued for a less denomination than one hundred dollars.

SECTION 3. That the governor shall issue letters patent to said company whenever three thousand shares shall have been subscribed to the capital stock thereof; and all subscriptions made to the capital stock of said company shall be valid notwithstanding the party making the same shall not at the time thereof pay five dollars on each and every share subscribed. Letters patent.

SECTION 4. That the said company shall have the right to build and construct a railroad from some point on the Pennsylvania railroad, at or near Johnstown, in the county of Cambria, and thence by the nearest and best route, by single or double track, to the borough of Somerset, in the county of Somerset, with privilege to connect with any railroad now constructed, or hereafter to be constructed, in the county of Somerset, and with the privilege to construct branches not to exceed ten miles in length. Construction of railroad authorized.
May connect with other roads and construct branches.

SECTION 5. That whenever any section or sections of three miles or more of said railroad shall be completed, the said company may use, occupy and enjoy the same as fully and in the same manner as if the whole of said road was completed. May use sections of road when completed.

SECTION 6. That the said company are hereby authorized to take, receive and hold such real estate in fee simple, in payment of subscription to the stock of said company, upon such terms as may be agreed upon by the said company and the individual offering the same; and the said company may transfer, by deed or otherwise, the title or titles to such real estate for the purpose of defraying the cost of constructing and equipping said railroad, and if not so disposed of, the said company may sell such real estate, for the use of said company, within ten years from the commencement of said road. May receive real estate in payment of subscriptions to stock.
May transfer real estate.

SECTION 7. That if said company shall not commence the construction of said road within five years from the passage of this act, and complete the same within ten years from the organization of the company, this act shall be null and void. Commencement and completion.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

APPENDIX—1869.

No. 1319.

An Act

Entitled "An Act to exempt the Sunbury Masonic Hall Association from taxation."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the lot of ground and buildings thereon erected and owned by the Sunbury Masonic Hall Association of the borough of Sunbury, in the county of Northumberland, be and the same is hereby exempted from taxation for county, borough, road, poor, school and bounty purposes.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The eighteenth day of February, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1320.

An Act

To exempt from taxation the parsonage of the English Evangelical Lutheran church of the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the parsonage lot and building of the English Evangelical Lutheran church of the city of Erie, situated on the south-west corner of Ninth and Chestnut streets, in said city, consisting

of one city lot only, be and the same is hereby exempted from taxation as long as used for said purposes.

JOHN CLARK,
Speaker of the House of Representatives.
WILMER WORTHINGTON,
Speaker of the Senate.

APPROVED—The twentieth day of March, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1321.

An Act

Extending the time for the sale of the real estate of Henry Effinger, deceased.

WHEREAS, Henry Effinger, late of Delaware county, Pennsylvania, departed this life on the twenty-seventh day of August, Anno Domini one thousand eight hundred and sixty-seven, having first made his last will and testament, dated the twenty-eighth day of July, one thousand eight hundred and sixty-six, and duly proved in the office of the register of Delaware county, whereby he did, among other things, direct his executors to sell his real estate at public sale within two years after his death :

And whereas, The greater portion of his real estate remains unsold, although twice offered at public sale :

And whereas, All the parties interested in said estate desire that the time limited for the sale of the same should be extended to four years from the death of the said Henry Effinger, with the power to sell at public or private sale ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John S. Lungren and John Cornog, executors of the last will and testament of Henry Effinger, late of Delaware county, Pennsylvania, deceased, or the survivor of them, or whoever may be legally appointed to succeed them as executors of said will, be and are hereby authorized and empowered to sell the real estate of the said testator, at public or private sale, within four years from the death of the said testator, and to execute and deliver good and sufficient deeds of conveyance in fee simple to the purchasers.

JOHN CLARK,
Speaker of the House of Representatives.
WILMER WORTHINGTON,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1322.

An Act

To incorporate the Tamaqua Life Insurance and Trust Company of Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Saligman Morganroth, Charles Whitfield, Uriah Long, and all others who may be hereafter associated with them, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Tamaqua Life Insurance and Trust Company of Schuylkill county, with all the rights and privileges, and be subject to all the restrictions set forth in the act, entitled "An Act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company of Schuylkill Haven," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-four.

SECTION 2. The business of said corporation shall be carried on in the borough of Tamaqua, in the county of Schuylkill.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1323.

A Supplement

To an act to incorporate the Tuscarora and Licking Creek Navigation Company, approved April seventeenth, Anno Domini one thousand eight hundred and sixty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the said Tuscarora and Licking Creek Navigation Company shall have power to increase their capital stock to ten thousand dollars, to be subscribed in equal shares, as provided for in section first of said act, and to increase their tolls in like proportion. Authorized to increase capital stock.

SECTION 2. That the said company shall have power to extend their operations on Licking creek, for the purposes named in section second of said act, five miles west of the boundary therein described, and to have and hold any improvements made or which may hereafter be made, the same as if the act to which this is a supplement had extended their jurisdiction over said territory. May extend operations.

SECTION 3. That if any bridge, mill-dam, flood-gate, or foot-log, shall receive any damage from high water, or any cause not arising from the floating of logs, timber, railroad ties, et cetera, the owner or owners of such bridge, mill-dam, flood-gate or foot-log shall, upon notice from said company, repair the same forthwith at his or their own expense, and failing to do so, the said Tuscarora and Licking Creek Navigation Company shall not be held liable for any loss or damage that may arise from such neglect. Damages to bridges, mill-dams, &c., relative to.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1324.

An Act

To incorporate the Wyoming Valley Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George W. Woodward, E. L. Dana, J. B. Stark, S. D. Lewis, Stewart Pierce, H. B. Wright, Ira Davenport, Frank Turner, E. C. Wadhams, Abram Nislitt, Samuel Hoyt, John B. Smith, Payne Pettibone, Michael Reap, Peter Purcell, and their associates, or persons who shall become stockholders, be and the same are hereby constituted a body politic and corporate, by the name and style of the Wyoming Valley Gas and Water Company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being im- Corporators. Name. Powers and privileges

pleaded in all courts and judicatories whatever, and also of contracting and being contracted with relative to the business and objects of the said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease and purchase, in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to borrow money, and to make and execute obligations for the liabilities created in the transaction of said business of the corporation.

Further powers. SECTION 2. That the said corporation shall have authority to supply with gas light or water such person or persons, in the borough or township of Wilkesbarre, borough of Kingston, borough of Plymouth, boroughs of East and West Pittston, in the county of Luzerne, as may desire it, and also to make and erect, within any of the boroughs named, the necessary buildings, machinery and apparatus for manufacturing and distributing the same, with the right to enter upon any public street, lane, alley or highway, or to cross the Susquehanna river by any bridge or bridges, paying to the bridge company actual damages, for the purpose of laying down pipes, altering, inspecting and repairing the same, doing as little damage to said streets, lanes, alleys, highways or bridges and impairing the free use thereof as little as possible.

Capital stock. SECTION 3. That the capital stock of said corporation shall be one hundred thousand dollars, to be divided into shares of fifty dollars each, and may be increased from time to time, not to exceed three hundred thousand dollars, as the managers thereof may deem necessary; for all of which stock certificates shall be issued, signed by the president and countersigned by the secretary, and sealed with the common seal of the corporation, which certificates shall be transferable only by the owner thereof, or by attorney duly authorized for that purpose, in a book kept for that purpose by said corporation.

Organization. SECTION 4. That the said named persons, or a majority of them, shall, as soon as two hundred and fifty shares of stock are subscribed, give at least two weeks' notice, in two newspapers published in the borough of Wilkesbarre, of the time and place by them appointed for the subscribers to meet in order to organize the said company, and to choose, by a majority of votes of the said subscribers, by ballot, to be given in person or by proxy duly authorized, eight managers to serve until their successors shall be duly elected, which shall be annually on the first Monday of May thereafter; and said managers shall have power to select one of their number as president, and also a secretary and treasurer to serve for the same term; and the manner of conducting said election shall be prescribed in the by-laws of said corporation; and at all elections the stockholders shall be entitled to one vote for each share of stock *bona fide* held by him, her or them, in their own right, or as trustees, executors or administrators at the time of holding said election.

Election of managers. Votes. Powers of managers. SECTION 5. That the board of managers of this corporation shall have power to make by-laws for their own regulation, not inconsistent with the laws of this commonwealth, and

shall keep minutes of their proceedings, which shall at all times be open to the inspection of the stockholders, and all such acts and things for the proper regulation and government of the corporation as they may deem necessary; they shall have power to declare dividends of so much of the net profits of the corporation as shall appear to them to be advisable, and at such times as the by-laws may fix, which shall be paid to the stockholders, on demand, fifteen days after the dividend shall be declared.

SECTION 6. That if any person shall open a communication into the gas or water pipes of the said company, without authority from the proper officer thereof, or shall let on the gas or water after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the meter put up for the purpose of measuring the same, or shall put up any pipes or burners without having them inspected and approved by the proper officer appointed by the corporation to inspect at proper times and under circumstances the pipes, meters and burners, et cetera, put up in any building, he, she or they, so offending, shall be subject to a penalty of not less than twenty-five nor more than one hundred dollars, to be recovered as any other debt of like amount is recoverable, one-half to go to the company, and the other half to the informer, who shall be a competent witness.

Penalty for opening communication with pipes, turning on water, &c. without authority.

SECTION 7. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas or water pipe, gas post or water hydrant, gas burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or be imprisoned not less than ten days nor more than one year, or both, at the discretion of the court: *Provided*, That such prosecution shall in no way impair the right of said company to full compensation in damages by a civil suit.

Penalty for injuring works, &c.

SECTION 8. That if any subscriber for to said company, or his, her or their assigns shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, he, she or they shall, in addition to the instalment called in, pay at the rate of five per centum per month for delay, and if the same shall remain so long that the penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of the said company to forfeit said stock, and the amount paid thereon may be disposed of by the said company as will best promote their objects.

Failure to pay instalments, relative to.

SECTION 9. That the managers of said company are hereby authorized to issue certificates of credit, or evidences of indebtedness for any sum or sums of money, not exceeding fifty thousand dollars at any one time, for the purpose of aiding them in the construction of their works and managing the business of the company; said certificates to be signed by

Managers may issue certificates of credit.

the president and attested by the secretary, and shall have such interest as shall be agreed upon, payable semi-annually, not exceeding eight per centum per annum; said certificates shall be made payable at the office of the company, within twenty years from the time of issuing thereof: *Provided*, That said certificates shall not issue for less sum than two hundred dollars; and to secure the payment of said certificates, there may be a mortgage given upon the real estate and effects, or any portion of the same, of the said company, for the benefit of such person or persons as may at any time hold certificates: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Bonus and taxes

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1325.

An Act

To annul the marriage contract between John C. Hiestand and Mary Juliet Hiestand, his wife.

WHEREAS, John C. Hiestand was married to Mary Juliet Hoover, on the eleventh day of November, one thousand eight hundred and fifty-two, and immediately thereafter moved with his wife to the state of California, where they lived and cohabited together for several years, during which time he became dissipated in his habits, and brutal in his conduct, and at length he ill-treated his wife and child, and utterly neglected to provide for them, so that in the spring of one thousand eight hundred and fifty-eight she was obliged to leave her said husband, and return to Lancaster county, to the home of her brother, for maintenance and support:

And whereas, The said Mary Juliet has not heard from or of her said husband for more than eight years:

And whereas, The courts have no jurisdiction in the premises; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the marriage contract between John C. Hiestand, now or late residing in California, and Mary Juliet Hiestand, his

wife, now residing in the county of Lancaster, in this commonwealth, be and the same is hereby made null and void, and the said parties released, set free and discharged from said contract, and from all duties and obligations arising therefrom, as fully, effectually and absolutely as if the said contract had never been entered into.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1326.

An Act

To incorporate the Cowanesque Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Joel Parkhurst, J. C. Strang, George H. Baxter, T. B. Commissioners. Tompkins, John Parkhurst, A. F. Jones, P. F. Stebbins, Jr., or any five of them, be and the same are hereby appointed commissioners to open books, receive subscriptions of stock, and organize a company, by the name, style and title of the Cowanesque Valley Railroad Company, with all the powers, Title. and subject to all the duties, restrictions and regulations pre- Subject to. scribed by an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered by subsequent acts, and altered and supplied by this act.

SECTION 2. That the capital stock of said company shall Capital stock. consist of five hundred thousand dollars; and it shall be lawful for said company, upon a vote of the stockholders, at any stated or special meeting convened for that purpose, to increase the capital stock to an amount sufficient to complete the road.

SECTION 3. That the said company shall have the right to Construction of railroad, authorized. build, construct and equip a single or double track railroad from Lawrenceville, in the county of Tioga, by way of the Route. Cowanesque valley, to a connection in the counties of Potter or M'Kean, with the Buffalo and Washington railroad, and May connect road with coal fields. to connect the same by lateral railroads with any coal fields in said county.

May borrow money, or issue bonds or certificates.

May secure loan by bond or mortgage.

SECTION 4. That to enable this company to complete their improvements, they may borrow money, or issue bonds or certificates of loans, and dispose of the same in such manner and at such prices as they may think proper or expedient: *Provided*, That the bonds shall not be of a less denomination than one hundred dollars; and if the said company shall make a loan for the purpose of completing their improvements, they are hereby authorized to secure the payment of the same by executing a bond or mortgage upon the railroad, binding the said road, together with all the privileges, rights and franchises connected with the same; which bond and mortgage shall be executed by the president of the company, by virtue of a resolution of the board.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1327.

An Act

To incorporate the Shawnee Railroad and Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Frank Turner, C. E. Wright, James Sutton, John W. Horton, E. C. Wadham, W. H. Sturdevant and Harry Hakes, of the county of Luzerne, and a majority of the survivors of them, be and are hereby appointed commissioners to open the books, receive subscriptions and organize a company, by the name of the Shawnee Railroad and Bridge Company, with all the powers, and subject to all the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, and shall be entitled to all the rights conferred by all the general laws of the commonwealth relating to railroad companies.

SECTION 2. That the capital stock of said company shall be twenty thousand dollars, and shall be divided into four hundred shares of fifty dollars each, with the privilege of increasing the capital stock to two hundred thousand dollars; and the said company is hereby authorized to borrow any sum of money sufficient, in addition to their capital stock subscribed, to

carry out the provisions of this act, and to issue bonds therefor, with or without coupons attached: *Provided*, That no bond shall be for less than one hundred dollars, and with interest at a rate not exceeding eight per centum, and the company may secure the bonds by a mortgage upon the franchises and real estate of the company.

SECTION 3. That said company shall have the right to build a railroad from any point in the borough or township of Plymouth to any point in the borough or township of Wilkesbarre, of single or double track, upon which steam or horsepower may be used, with the right to build a bridge across the river Susquehanna, at any point between the north line of Wilkesbarre borough and Nanticoke dam, in said county of Luzerne, which bridge may be used as a toll or railroad bridge, or both, and have power to connect with and cross at grade any other railroad in said county; that any other corporation may subscribe to the capital stock of said company, or loan said company money.

Construction of railroad, authorized.

May build bridge.

May cross at grade and connect with other roads.

SECTION 4. That as soon as any portion of said railroad is completed, the said company may use and enjoy the same as fully, and with the same powers and privileges, as if the whole were completed.

May use portion of road when completed.

SECTION 5. The company shall have the right to extend their road to any point between Wilkesbarre and Monocacy island, and cross the river Susquehanna at such point by erecting a bridge, as provided in the third section of this act, and to continue its road to the boroughs of Kingston and Plymouth.

May extend road, &c.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1323.

An Act

To establish a rope ferry near the mouth of Durell creek, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Alexander Ennis, of Standing Stone township, and S. B. Eilenberger, of Asylum township, all of Bradford county, their heirs and assigns, shall have the right and privilege, at

Ferry authorized.

Location. their own expense, to make good and convenient landings on the east and west side of the North Branch of the Susquehanna river, at a point above eighty rods north of the mouth of Durell creek, upon lands of the said S. B. Eilenberger, in the said township of Asylum, connecting on the east side of said river, upon lands of the said Alexander Ennis, in the said township of Standing Stone, and to use the said river between said landings as a public ferry.

Ferry to be kept in good order.

SECTION 2. That the said Alexander Ennis and S. B. Eilenberger, their heirs and assigns, shall keep the said landings and ferry in good order and repair, fit for the transportation and passage of travelers, teams and carriages of all descriptions, and shall keep good and substantial boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across said river with all reasonable diligence and care.

Tolls.

SECTION 3. That the said Alexander Ennis and S. B. Eilenberger, their heirs and assigns, as a remuneration for keeping up and maintaining in good repair the said landings and ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals and articles of transportation as may be prescribed by the court of quarter sessions of Bradford county, or as are received by other ferries of like import crossing the said river.

Extension of rope or wire across river, authorized.

SECTION 4. That the said Alexander Ennis and S. B. Eilenberger, their heirs and assigns, shall have the right to extend a rope or wire across said river if they shall deem it advisable to facilitate crossing: *Provided*, That the rope or wire shall not be so extended as to interfere with or obstruct the ascending or descending navigation of said river; and that nothing in this act contained shall be so construed as to confer the rights to receive or discharge any travelers, cattle, carriages or other articles of transportation, as aforesaid, upon land belonging to any other person or persons, without the consent of the owners thereof.

Proviso.

Penalty for injuring ferry.

SECTION 5. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope or wire, boats or other property, or shall take from its mooring any boat or craft belonging to said ferry, he, she or they so offending shall each of them, for every such offence, forfeit and pay to the said Alexander Ennis and S. B. Eilenberger, their heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by said Alexander Ennis and S. B. Eilenberger, their heirs and assigns, to be recovered as debts of like amount are by law recoverable.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1329.

An Act

Extending the time for the payment of the enrolment tax on an act to incorporate the Buffalo Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the payment of the enrolment tax on an act to incorporate the Buffalo Valley Railroad Company, be and it is hereby extended for one year from the fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1330.

An Act

To incorporate the North Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That C. A. Ziegler, John Sturdevant, W. R. Maffet, Lathan W. Jones and R. C. Smith, and such other persons as may become associated with them, their successors and assigns, be and they are erected into a body politic and corporate, in deed and in law, by the name, style and title of the North Coal Company, and in such name may sue and be sued before any court in this commonwealth, and have and enjoy all the powers, privileges, rights and franchises incident to a corporation and in law pertaining to a body politic and corporate.

SECTION 2. The said company shall have authority and use a common seal and the same to alter at their pleasure, and to make all rules, regulations and by-laws, and the same to alter, amend or annul at pleasure, and to do everything needful for the good government and the transaction of the business of said company.

Powers.

SECTION 3. The said corporation shall have power to purchase and hold in fee simple, under lease or otherwise, any number of acres of land, not exceeding two thousand, in the county of Luzerne, with power to sell, mortgage, lease or otherwise dispose of the same or any part thereof, to mine, prepare, purchase, transport and sell coal and other minerals, to open mines, erect buildings and machinery, and convey water in pipes for the supply thereof from adjacent streams, and to hold all such personal and other property as may be necessary or convenient for the prosecution of their business, and to make mine roads, also lateral railroads to connect with other railroads in Luzerne county.

Directors.

SECTION 4. That the affairs of said company shall be managed by a board of not less than five directors, who shall be elected by the stockholders in such manner and at such times as the by-laws of said company may provide; said directors shall elect one of their number president, and appoint such other officers and agents as the business and interests of the company may require.

Officers and agents.

Capital stock.

SECTION 5. That the capital stock of said company shall consist of two thousand shares of fifty dollars each, with the power to increase the same from time to time, as the directors of said company may deem expedient, to an amount not exceeding five hundred thousand dollars; but any portion of said stock may be issued as a preferred stock, subject to such terms and conditions as the directors and the purchasers may agree upon; and it shall be lawful for any other corporation to take and hold stock or loan money to said company in the same manner as individuals might take and hold the same.

Preferred stock.

May borrow money and create indebtedness.

SECTION 6. That the said corporation may borrow money and create indebtedness in such way and manner as the board of directors may deem necessary for the prosecution and management of the same, and to issue the security of the said corporation therefor, in such form and manner and payable in such places as they may deem proper, at a rate of interest not exceeding ten per centum, and dispose of such securities in such manner and such places as such board of directors may direct.

Offices.

SECTION 7. That the said corporation, in addition to its office for the transaction of business in the county of Luzerne, may also have an office or offices outside the limits of the state.

Payment of subscriptions.

SECTION 8. That subscriptions to the capital stock of said corporation may be paid, in part or in whole, in real or personal property appropriate to the business contemplated by this act, at a fair valuation to be fixed upon by a majority in interest of the stockholders.

Bonus.

SECTION 9. That the said company shall pay to the state treasurer a bonus of one-half of one per centum upon the amount of the capital stock subscribed and paid in, payable in four equal annual payments; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for country produce, to be sued for and collected as provided in twelfth, thirteenth and fourteenth sections of the act

Individual liability.

incorporating the Lackawanna Iron and Coal Company, approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 10. That the above-named corporators, or such of them as may act, are hereby authorized to receive subscriptions to the stock of said company, in such manner as they may determine, and shall receive letters patent, as provided in the second section of an act of assembly regulating railroads, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

No. 1331.

A Further Supplement

To an act, entitled "An Act to incorporate the Ligonier and Latrobe Railroad Company," approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of said company be and the same is hereby revived, and that the time for the commencement of the building of said road shall be within three years and the time of the completion thereof shall be within six years from the passage of this act.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

APPENDIX—1870.

No. 1332.

A Supplement

To an act incorporating the Dimes Savings Institution of Allentown, now entitled Allentown Savings Institution, to increase its capital stock, and to create or extend the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allentown Savings Institution is hereby authorized to further increase its capital stock to an amount not exceeding three hundred thousand dollars from time to time, whenever and so often as the board of trustees shall deem it expedient for the better accommodation of the business; which said capital shall at all times be liable to the depositors for the amount of their deposits: *Provided,* That a bonus of one-quarter of one per centum shall be paid into the treasury of this commonwealth on so much of the increase of capital stock, authorized by this act, as shall be called by the board of trustees, and actually paid in: *Provided also,* That each shareholder shall be entitled to subscribe *pro rata*, according to the number of shares standing in his or her name on the books of the institution.

SECTION 2. That the corporators of stockholders of the Allentown Savings Institution are hereby created or extended as a corporation for the period of twenty (20) years from January first, one thousand eight hundred and seventy, with the right to receive money on deposit, pay interest therefor, and to loan out or invest such deposits, and other moneys which the said institution may have, in United States stocks or bonds, in the stocks or bonds of this commonwealth, and in other bonds and mortgages, and by discounting or purchasing drafts, notes, bills of exchange and other approved and valid securities, with all the rights and privileges conferred, and subject to all the restrictions imposed by the act of assembly incorporating the said institution: *Provided however,* That the legislature hereby reserves the right to alter, revoke or annul this act, or any part thereof, at any time when it shall be deemed necessary for the public good: *Provided,* That it shall be

Increase of capital stock, authorized.

Proviso.

Proviso.

Charter extended.

Privileges.

Reservation.

Proviso.

done in such a manner that no injustice shall be done to the corporators, stockholders or depositors.

BUTLER B. STRANG,
Speaker of the House of Representatives.

• CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-fourth day of February, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1333.

An Act

To ratify the charter of the Delaware Bridge Company, granted by the legislature of New Jersey, and to enable said company to hold real estate.

WHEREAS, The senate and general assembly of the state of New Jersey have passed an act, approved by the governor of said state, incorporating the Philadelphia and Camden Bridge Company, and authorized said company to hold and own a bridge with diverging roadways and double draws, over the Delaware river, between the city of Camden, in the state of New Jersey, and the city of Philadelphia, in the state of Pennsylvania, together with all such real estate as may be required by the ascent or approaches of the same, in the state of New Jersey, the said bridge to be of the width and to be built in the manner therein set forth, and of such form as to secure the passage up and down the stream of all descriptions of vessels and craft which now navigate the river Delaware.

And whereas, Before the said act can go into effect it is necessary that the consent of the state of Pennsylvania, through its constituted authorities, should be given thereto, and the said corporation empowered to buy and hold as much real estate in the city of Philadelphia, and state of Pennsylvania, as may be necessary to be used and occupied for the ascents to and approaches of the said bridge, on the western side of the river Delaware, as well as on the bar or island, called or known by the name of Smith's or Windmill island, in the said river Delaware, opposite said city; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the assent and approval of the said commonwealth be and the same is hereby given to the said act of the senate and general assembly of the state of New Jersey, for the

purpose of building the said bridge; and that the said Philadelphia and Camden Bridge Company be and they are hereby authorized and empowered to buy and hold as much land on the said Windmill island, and in the city of Philadelphia, aforesaid, as will and may be necessary to erect piers to support, and provide ascents and approaches to the said bridge, and to use and occupy the same for the purposes of the said bridge, first having made compensation to the owner or owners of such real estate for the value thereof, or for any damages they may sustain for any such use or occupancy, in the manner hereinafter provided; and when the said company or its agents cannot agree with the owner or owners, their agents or the legal representatives of such required lands or materials for the use or purchase thereof, or when, by the legal incapacity or absence of such owner or owners, et cetera, no such agreement can be made, a particular description of the land or materials, so required for the use of said company, in the construction of said bridge, shall be given in writing under the oath or affirmation of some engineer or proper agent of the company, and also the name or names of the occupant or occupants, if any there be, and of the owner or owners, if known, and their residences, if the same can be ascertained, to one of the justices of the supreme court of this state, who shall cause the said company to give notice thereof to the persons interested, if known, and in the state, or if unknown, and out of the state, to make publication thereof as he shall direct, for any term not less than ten days, and to assign a particular time and place for the appointment of the commissioners hereinafter named, at which time, upon satisfactory evidence to him of the service or publication of such notice aforesaid, he shall appoint, under his hand and seal, three disinterested, impartial and judicious freeholders, residents in the county in which the land or materials in controversy lie, or the owners reside, commissioners to examine and appraise the said land or materials, and to assess the damage upon; such notice to be given to the persons interested, as shall be directed by the justice making such appointment, to be expressed therein, not less than ten days; and it shall be the duty of said commissioners (having first taken and subscribed an oath or affirmation before some person duly authorized to administer an oath, faithfully and impartially to examine the matter in question, and to make a true report, according to the best of their skill and understanding) to meet at the time and place appointed, and proceed to view and examine the said land, materials, said commissioners at the same time taking into consideration all the benefits to be derived from or in consequence of the said bridge, as the case may be, to the said owner or owners, et cetera, and to make a just and equitable estimate or appraisal of the value of the same and assessment of damages, as shall be paid by the company for such land or materials and damages aforesaid, which report shall be made in writing, under the hands and seals of the said commissioners, or any two of them, and filed within ten days thereafter, together with the aforesaid description of the land or materials, and the ap-

pointment and oaths or affirmations aforesaid, in the clerk's office of the county in which the land or materials are situate, to remain of record therein; which report, or a copy thereof, certified by the clerk of said county, shall at all times be considered as plenary evidence of the right of said company to have, hold, use, occupy, possess and enjoy the said land or materials, or of the said owner or owners, et cetera, to recover the amount of said valuation with interest and cost, in an action of debt, in any court of competent jurisdiction, in a suit to be instituted against the company if they shall neglect or refuse to pay the same for twenty days after demand made of their treasurer, and shall from time to time constitute a lien upon the property of the company in the nature of a mortgage; and the said justice of the supreme court shall, upon application of either party, and on reasonable notice to the others, tax and allow such costs, fees and expenses to the justice of the supreme court, commissioners, clerks and other persons performing any of the duties prescribed in this section, as they or he shall think equitable and right, which shall be paid by the company: *Provided always*, That should the said company, or the owner or owners, et cetera, of any of the lands or materials, feel himself, herself or themselves aggrieved by the decision of the commissioners, he she or they may appeal to the next circuit court in the county wherein the said land or materials may lie: *Provided*, Such application does not retard or prevent the progress of work on said bridge: *And provided further*, That the said bridge company may increase their capital stock by issuing bonds or otherwise, to such an amount from time to time as they may deem necessary.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1334.

An Act

To incorporate the Harrisburg Ice Company of the city of Harrisburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That John J. Shoemaker, A. Hamilton, Christ. Heikel, A. K. Commissioners.

Title.	Black, C. Lewis, W. C. M'Fadden, D. Stockton, S. C. Wilson,
Powers.	W. F. Willis, D. Wagner, R. L. Head, J. Montgomery, Wm. Kirby, J. E. Parsons, W. B. Wilson, William Alricks, G. L. Braun, W. H. Seig, B. Frisch, W. W. Jennings, J. M. Stoever, Jacob Schlayer and John L. Speel, or a majority of them, be and they are hereby constituted and appointed commissioners, to open books, receive subscriptions and organize a company, by the name, style and title of the Harrisburg Ice Company of the city of Harrisburg, who shall have power to collect, stow and manufacture ice, and sell it in such quantities as the company may determine.
Capital stock.	SECTION 2. The capital stock of said company shall consist of three (3) thousand shares at (5) dollars each: <i>Provided</i> , That the said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock, if it should be deemed necessary, to an amount not exceeding fifty thousand dollars.
Subject to.	SECTION 3. That the said company shall be subject to all restrictions, and have all the privileges and immunities contained in an act, entitled "An Act to incorporate the Cold Spring Ice and Coal Company of the city of Philadelphia," approved March thirtieth, one thousand eight hundred and sixty-four.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1335.

An Act

To relieve the Lewisburg Bridge Company from the taxation imposed on incorporated companies, for the years one thousand eight hundred and sixty-seven, one thousand eight hundred and sixty-eight, and one thousand eight hundred and sixty-nine.

WHEREAS, The bridge over the Susquehanna river, at the borough of Lewisburg, was swept away by the flood of one thousand eight hundred and sixty-five, and the original stock thereby rendered of little value:

And whereas, The said bridge was not re-built for two years, and no dividends have yet been declared by the company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the Lewisburg Bridge Company be and the same is hereby exempted from the tax imposed on incorporated companies by the act of assembly, approved May first, one thousand eight hundred and sixty-eight, and the several acts to which the said act is a supplement, from the date of the last report made by said bridge company to the auditor general, in one thousand eight hundred and sixty-six, up to the first Monday in November, Anno Domini one thousand eight hundred and sixty-nine.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1336.

An Act

To incorporate the Lincoln Market Company of Philadelphia.

SECTION 1. *Be it enacted by the Senatē and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That David Hoffer, Joseph T. Martin, Francis P. Watson, C. D. Partridge, Samuel Miller, William F. Smith, Theodore Adams, John V. Vanderbilt, John M. Bickel, O. P. Morrow, Joseph Hood, and all their associates, and all persons who may now or hereafter be holders of stock hereinafter mentioned, shall be and they are hereby declared to be constituted a body politic or corporate, by the style of the Lincoln Market Company of Philadelphia, to have perpetual succession, to be capable, in law, of suing and being sued, to have a common seal, and the same to alter and renew at pleasure, and to have, hold, receive, enjoy and take in fee simple, or upon ground rent, such real and also such personal estate as may be deemed necessary and proper for the ownership, and for the construction and for the proper use and management and maintenance of a market house and public hall or halls, in the city of Philadelphia, and for the accommodation and use of any parties who may be desirous of renting and occupying the same, with free power to sell, mortgage, create the necessary ground rent deeds, or convey the said real and personal estate.

Corporators.

Style.
Powers and
privileges.

SECTION 2. That the object and purpose of said corporation shall be to erect and maintain a suitable building or buildings and stalls, with all things necessary for the use thereof,

Object and purpose.

- and with a hall or halls in a part of said building, and to rent the same at any place within the limits of the city of Philadelphia, the same to be appropriated and used as a public market house for the sale and vending of meats and vegetables, and all other kinds of victuals and provisions whatever, and such other edibles as the board of managers may deem proper: *Provided*, That farmers renting stalls in said markets shall not be prohibited from selling meat or meats in such part or pieces as they may deem proper; the said market buildings, the stalls, or any one or more or all of the same, to be leased, rented or disposed of in such manner, and upon such terms and conditions, as the managers shall determine.
- Proviso.
- Renting of stalls, &c.
- Capital stock. SECTION 3. That the capital stock of said corporation shall not exceed two hundred and fifty thousand dollars, divided into five hundred shares, of five hundred dollars each, and shall be in such form, and be issued and transferred in accordance with such by-laws as the said managers may establish.
- Government and control. SECTION 4. That the government and control of the Lincoln Market Company, and the management of its property, shall be vested in, and the corporate powers of said company shall be exercised by, a board of seven managers, who shall be elected by ballot from among the stockholders; they shall continue in office until their successors shall be elected, they shall elect a president, secretary and treasurer from among themselves, shall supply all vacancies in their number however occasioned, and shall have the general and entire control of the affairs and interests of the company; and that until other officers be duly elected, the persons named in the first section of this act shall be held to be managers of the said corporation, and shall have power and authority as such.
- Annual meeting of stockholders. SECTION 5. That a general meeting of the stockholders shall be held annually on the second Monday of January, for the election of seven managers and the transaction of other business; but if such meeting or election shall not then take place, the corporation shall not for that cause be dissolved, but such meeting or election shall take place as soon thereafter as may be, one week's public notice of such meeting being first given in at least three daily newspapers in the city of Philadelphia; and special meetings of the stockholders shall be called and held as may be provided by the by-laws thereof; and that in the enactment of by-laws for the government of the corporation and its officers, and in the election of officers and the decision of all questions, and at all the meetings of the stockholders present, either in person or by proxy, shall severally vote one for each share of stock held by them: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.
- Special meetings.
- Votes.
- Bonus and taxes

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1337.

An Act

To incorporate the Northampton Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James G. Turner, Nathan German, James W. Wood, Daniel G. Brown, John Godshalk, Thomas Moore, Samuel Hoyt, L. D. Shoemaker and Ambrose J. Irwin, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Northampton Railroad Company, with power and authority to construct a railroad, with single or double track, beginning at some convenient point at or near the village of Portland, in the county of Northampton, thence by the most expedient and practicable route to a point at or near the borough of Bethlehem, in the said county, subject to all the provisions and restrictions of an act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not altered or supplied by this act; and the said Northampton Railroad Company shall have the right, subject to the provisions and restrictions of the act aforesaid, to connect their railroad, by lateral or branch roads, with any railroad constructed or to be constructed, or any other public improvements, in either of the counties of Northampton or Lehigh, and to construct all such bridges as may be necessary for the purpose of said road.

Commissioners.

Title.
Construction of
railroad au-
thorized.

Subject to.

Connections,
&c.

SECTION 2. The capital stock of said company shall consist of six thousand shares of fifty dollars each: *Provided,* That said company may from time to time, by a vote of a majority of the directors, at a meeting called for that purpose, increase the capital stock, if it shall be deemed necessary, to an amount sufficient to carry out the true intent and meaning of this act, for the purpose of completing and equipping said railroad; and the said company shall have the power of borrowing any amount, not exceeding one million dollars, at the rate of interest not exceeding seven per centum per annum, and to secure the payment of the same by the issue of bonds and a mortgage of the said railroad, together with the corporate rights and franchises granted by this act, and to annex to the said bonds and mortgage the privilege of converting the same into capital stock of the said company at par, at the option of the holder: *Provided,* That the said company shall issue no certificate of loan of a less denomination than one hundred dollars.

Capital stock.

May borrow
money and
issue bonds.

SECTION 3. That the said company shall have the power to connect with any railroad belonging to any other company,

Connecting
companies may
subscribe for
stock.

Not to terminate, &c., at Freemansburg. When road may be used.

Commencement and completion.

and any connecting railroad company authorized by this commonwealth may subscribe for and hold stock of this company: *Provided*, That the said road shall not terminate or connect with any road at or near Freemansburg, in said county.

SECTION 4. That whenever any section of three miles of said railroad shall be completed, the said company may use, employ and enjoy the same in the same manner as when the entire length thereof shall be completed.

SECTION 5. That if the said company shall not commence the construction of the said railroad within three years, and complete it in six years from the passage of this act, the same shall be null and void, except so far as may be necessary to settle up the affairs and pay the debts of said company.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1338.

An Act

To change the name of Charles Saxton to that of Charles Niles, and to make the said Charles the heir-at-law and adopted son of Philander and Sarah Niles, of Middlebury township, in the county of Tioga.

WHEREAS, Philander and Sarah Niles, of Middlebury township, Tioga county, have petitioned the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly met, to change the name of a young man brought up with them from his infancy, now living with them, named Charles Saxton, to that of Charles Niles, and to have the said Charles made the heir of the said Philander and Sarah Niles, and adopted son of them, the said Philander Niles; and the said Charles Saxton, being over the age of twenty-one years, the courts have no jurisdiction; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Charles Saxton, of Middlebury township, in the county of Tioga, state of Pennsylvania, be and is hereby changed to that of Charles Niles, and that he is hereby made the adopted son of the said Philander and Sarah Niles,

with all the rights and privileges of a son born of their bodies in lawful wedlock.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The eighteenth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1339.

An Act

To incorporate the Sunbury Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Haas, S. P. Wolverton, Ira T. Clement, T. H. Purdy, John W. Freling, William M. Rochefeller, William L. Dewart, and their associates and successors, be and they are hereby made and constituted a body politic and corporate, by the name and style of the Sunbury Gas Company, and by the said name they and their successors shall and may have perpetual succession, and shall be in law capable of suing and being sued, pleading and being impleaded, in all courts of law or equity within this commonwealth and elsewhere, and also of contracting and being contracted with, relative to the business and objects of said corporation as hereinafter declared; and they and their successors may have a common seal, and may change and alter the same at pleasure, and shall have power to lease or purchase and hold in fee simple or otherwise, such real estate as may be deemed necessary by its board of directors for carrying on the business of said corporation, and in their corporate name to make and execute obligations for the liabilities created in the transaction of said business of the said corporation.

SECTION 2. That the said corporation shall have authority to supply with gas light the borough of Sunbury and its vicinity, and places adjacent thereto, in the county of Northumberland, and such persons, partnerships, public buildings and corporations therein as may desire the same, and also to make and erect, within said borough, or in the township of Upper Augusta, the necessary buildings, machinery and apparatus for manufacturing and distributing gas, with the right to purchase, store and prepare all necessary materials, and with the right to enter upon and dig ditches and lay their

Corporators.

Name.

Powers and privileges.

Authority to supply gas and erect works.

May enter upon streets, enclosures, &c., to dig trenches and lay pipes.

May convey water from streams.

Damages.

Capital stock.

Certificates.

Failure to pay instalments, relative to.

Directors authorized to borrow money and issue bonds.

pipes under, along or across any of the public streets, lanes, alleys or side-walks of the said borough of Sunbury or township of Upper Augusta, and to dig ditches and lay their pipes along, under or across any streams, water-courses, railroads, or under, along or across the property of any other company or corporation, and the right to enter into or upon any lands or enclosures for the purpose of digging trenches, laying pipes and distributing gas wherever the officers of the company may deem it necessary, either for the purpose of laying down pipes or altering, inspecting and repairing the same, and also the right to take and convey the water that may be necessary to the manufactory and retention of gas, from any stream or other water-course that may be most convenient, doing as little damage as possible to private property, which said damage, if any, when the parties cannot agree, shall be assessed by three disinterested men, on oath, to be appointed by the court of common pleas of Northumberland county, on the application of either party: *Provided*, That either party shall have the right to appeal to the said court of common pleas within thirty days after the said assessment shall have been filed in the same.

SECTION 3. That the capital stock of said corporation shall be twenty thousand dollars, to be divided into shares of fifty dollars each, and may be increased from time to time, by the board of directors, when a majority of the votes of stockholders, each share being entitled to one vote, shall authorize the same, not to exceed fifty thousand dollars, for all of which stock certificates shall be issued, signed by the president, countersigned by the treasurer, and sealed with the common seal of the corporation; which certificates shall be transferable at pleasure by the owners thereof, or by attorney duly authorized for that purpose, upon the books of the company.

SECTION 4. That if any subscriber to the capital stock of this corporation shall refuse or neglect to pay any instalment called for by the said company, at the time and place appointed, and the same shall remain unpaid for thirty days, he shall, in addition to the instalment called in, pay interest thereon during such delay, at the rate of two per centum per month, and the company may sue for and recover the said instalment and interest, or forfeit the amount already paid in by the subscriber, as may be deemed best by the board of directors.

SECTION 5. That the directors of this company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity, not exceeding twelve thousand dollars, for the purpose of aiding them in the construction of their works, at a rate of interest not exceeding eight per centum per annum, and to issue bonds therefor, either with or without interest coupons attached, and secure the payment of the same by a mortgage upon the real estate, franchises, property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said directors shall provide for the payment of the interest upon any loan made

under this section, out of the receipts for gas, before any dividends shall be paid to the stockholders.

SECTION 6. That any three or more of the corporators named in this act, shall have power to meet and open books for subscription to the capital stock of the said company, at such time and place as they may be requested by a written notice, given by two of the said corporators, and when two-thirds or more of the capital stock of said company shall have been subscribed, the said corporators, who have acted, shall give notice to the subscribers to the capital stock of said company, either in writing, or by two publications in one of the weekly newspapers published in the borough of Sunbury, of a time and place of the meeting for the said subscribers, for the purpose of electing a board of directors to manage the affairs of said company; at which time and place they shall proceed to elect a board of five directors, who shall manage the affairs of the company until the first Monday of May, Anno Domini one thousand eight hundred and seventy-one, and until their successors are duly elected, which shall be annually on the first Monday of May of each succeeding year; and said directors shall have power and shall elect from the five of their number, for the same term, a president and secretary, and a treasurer of said company; the manner of selecting which said officers shall be prescribed in the by-laws of said corporation; and at all elections by stockholders, either for directors of said company or for other purposes, each stockholder shall be entitled to cast one vote for each share of stock *bona fide* held by him, her or them, either as trustees, executors or administrators at the time of holding said election.

SECTION 7. That the board of directors of said company shall have power to make by-laws, not inconsistent with the laws of this commonwealth, and do all such acts and things for the proper regulation and government of the corporation as they may deem necessary; that a majority of the said board of directors shall constitute a quorum; that they shall keep minutes of their transactions fairly entered in a book, and a quorum being formed they shall have full power and authority to purchase lands and all materials for the location, erection and supply of said gas works, and shall have power to erect and manage the same, to appoint all officers and employees, and such assistants as shall be necessary to carry out the objects of the corporation, to fix all salaries of officers and employees, to fix the rates for the use of gas, and declare dividends of so much of the net profits of the corporation as shall appear to them advisable, at such times as they may deem expedient.

SECTION 8. That if any person or persons shall open a communication into the gas main or other gas pipes or pipe of said company, without authority from the proper officer thereof, or shall let on the gas after it has been stopped by order of the company or its authorized agent, or use any gas without drawing it through the meters put up for the purpose of measuring the same, or shall put up any pipes or burners without having the same inspected and approved by the proper officer of the corporation, at proper times and under pro-

Subscriptions
to stock.

Election of
directors.

Officers.

Votes.

Powers and
duties of directors.

Penalty for
opening com-
munication
with pipes,
turning on gas,
&c., without
authority.

per circumstances, to inspect the pipes, meters, burners, et cetera, put up in any building, he, she or they so offending shall be subject to a penalty of not less than five nor more than fifty dollars, to be recovered as debts of like amount are recoverable, one-half to be paid to the informer and the other half to the company.

Penalty for injuring works, &c.

SECTION 9. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction or works of said company or any gas pipes or pipe, gas post, burner, reflector or any matter or thing appertaining to the same shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be held guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1340.

An Act

To incorporate the Mount Oliver Inclined Plane Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That Joseph Walton, Benjamin F. Jones, Charles J. Schultz, Peter Haberman, Augustus G. Hatrey, Miles S. Humphreys, James Taylor, August Ammon, Edward Moye, Joseph Keeling and Anthony Henger, and their associates, successors and assigns, are hereby created a body corporate, by the name, style and title of the Mount Oliver Inclined Plane Company, and by that name shall have perpetual succession, and all the rights, privileges and powers incident to a corporation.

Title.

Privileges.

Officers.

SECTION 2. That the officers of said company shall consist of a president, secretary and treasurer, and a board of directors of not less than three nor more than seven stockholders; said

directors to be elected by the stockholders at a time and place to be fixed by such of the above-named corporators as shall act, and annually thereafter at a time and place to be fixed by the by-laws of the company; said president, secretary and treasurer to be elected by the directors.

SECTION 3. The capital stock of said company shall consist of twenty thousand dollars, to be divided into shares of fifty dollars each, with power to increase the same, by a vote of the stockholders, to any amount that may be required to carry out the purposes of the corporation; and letters patent shall be issued whenever five thousand dollars is subscribed and ten per centum paid on the same; and the said president and directors shall have power to construct one or more inclined planes to run cars from any point or points, in the boroughs of Birmingham, East Birmingham and borough of Ormsby, in Allegheny county, Pennsylvania, to the brow of the hill of said boroughs; and for all freights, packages and passengers carried on said planes said company shall have the right to charge the rates allowed by law to the Pittsburg and Birmingham Passenger Railway Company.

SECTION 4. The said company shall have the right to purchase, hold, improve, lease and convey, under its corporate seal, in the neighborhood of the termini of said roads, any amount of real estate, not exceeding five hundred acres at any one time, in one or more parcels, with authority to locate and construct any passenger railway that may be necessary to connect said real estate with said inclined planes, and the same rates may be charged upon any of said railways as upon the inclined planes; the said company shall have all the powers and privileges and be subject to all the restrictions and liabilities, in constructing, locating and operating any of the said planes or railways, as are contained in the act regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 5. The said company shall have power to borrow money to double the amount of stock subscribed, and to issue bonds and mortgages upon its real estate, machinery, rolling stock and franchises for the purpose of securing the same.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1341.

A Further Supplement

To an act to authorize the governor to incorporate a company to erect a bridge over the West Branch of the Susquehanna river. at Milton, approved April sixth, one thousand eight hundred and thirty.

WHEREAS, By the first section of a supplement to the said act, approved the third day of April, one thousand eight hundred and sixty-nine, authorizing the president and managers of said company to issue an additional amount of capital stock of said company, the said additional stock, by mistake in said section, is fixed at the par value of twenty dollars per share instead of twenty-five dollars, the par value of the original shares of said company :

And whereas, Part of the said additional stock has been disposed of, and certificates issued therefor, at the said par value of the original stock, with the understanding that an act should be procured correcting said mistake, and the balance remaining unsold awaiting the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the par value of the shares of the capital stock of the said company, authorized to be issued by the said act of April third, one thousand eight hundred and sixty-nine, be and are hereby fixed at twenty-five dollars per share; and the issue of the said stock heretofore sold is hereby legalized; and anything in said act inconsistent herewith is hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1342.

An Act

To incorporate the Keystone Gas and Water Company of the city of Titusville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*,

That Alex. R. Williams, E. M. Hidden, M. H. Avery, Geo. B. Easterly and E. L. Pitcher, their successors, associates and assigns, are hereby created a body politic and corporate, by the name, style and title of the Keystone Gas and Water Company of the city of Titusville, and by that name shall have perpetual succession, and shall in law be capable of suing and being sued, pleading and being impleaded, in courts of law and equity, and of contracting and being contracted with relative to the business of the corporation, and may have a common seal, and the same alter and renew at pleasure, and may have power to purchase and hold in fee simple such real estate as may be necessary for carrying on the business of the said corporation.

SECTION 2. The company shall have power to provide, erect and maintain all works and machinery, engines and apparatus necessary or proper for making, raising and introducing into the city of Titusville, in the county of Crawford, a sufficient supply of gas and water; and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of gas and water to be introduced; and for that purpose shall have the right to use any springs or streams of water embraced within the city of Titusville or elsewhere in the county of Crawford, if necessary; and for that purpose they are authorized and empowered, by themselves, their agents, engineers and workmen, and with their tools, wagons, horses and carts, to enter upon such lands and enclosures, streets, lanes and alleys, highways and bridges as it may be necessary to occupy for the purposes aforesaid, or to obtain material for the construction of said works, and to occupy, ditch and lay pipes through the same, and the same repair from time to time; and if any injury be done to private property, the said company shall make compensation therefor, or give security for such compensation, according to the provisions of the eleventh section of an act regulating railroads, approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 3. The capital stock of said company shall be twenty-five thousand dollars, divided into shares of fifty dollars each; and the said company may issue bonds to the amount of its authorized capital, bearing interest not exceeding eight per centum per annum, and secure the same by mortgage of their real estate, franchises and privileges.

SECTION 4. The stockholders shall annually, at such day and place as they may designate, elect five directors to manage the affairs of said company, who shall serve for one year, and until their successors are elected, and the persons before-mentioned shall be the first board of directors; and they and each succeeding board of directors shall elect a president from among their number, and also appoint such other officers and agents as the interest of the said company may require; and in all elections, each share of stock shall be entitled to one vote.

SECTION 5. If any subscriber to the stock of this corporation shall refuse or neglect to pay any instalment called for by the said company, at the time and place appointed, and

Corporators.
Title.
Powers and privileges.

Authorized to erect works.

May use springs or streams of water.

May enter upon lands, streets, &c.

Damages.

Capital stock.

May issue bonds

Election of directors.

First board of directors.

Officers and agents.

Votes.

Failure to pay instalments of stock.

the same shall remain unpaid for thirty days, the company may sue for and recover the said instalment and interest, with costs of suit, and ten per cent. additional for attorney's fees, or forfeit the amount already paid by said subscriber, as may be best for said company.

May establish rules as to use of gas and water, fix rates, &c.

SECTION 6. That the said company shall have the right to fix and establish all necessary rules and regulations as to the use of said gas and water, furnished as aforesaid, and to fix and establish the rates and prices to be paid by the citizens using the same, and to collect the same as debts are now or may hereafter be collected by the laws of this commonwealth, and also to declare dividends of the net profits of said company, as may be provided by the laws of this commonwealth: *Provided*, That such part of said work as may be deemed advisable by said company, shall be done from time to time, and the company shall have as full power over the work completed, as though they had finished the whole work contemplated by this act; and that said company shall pay into the state treasury a tax of one-half of one per centum, in four quarterly payments, on the capital stock.

Work may be done in part.

Tax to state.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1343.

An Act

To incorporate the Meadville and Titusville Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That George K. Anderson, William H. Abbott, Oliver Keese, Samuel B. Deck, Joshua Douglass, Samuel A. Torbett and N. C. M'Laughlin, or a majority of them, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company, by the name and style of the Meadville and Titusville Railway Company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except as far as the same are altered or supplied by this act.

Name.

Subject to.

Capital stock.

SECTION 2. The capital stock of this company shall consist of three thousand shares, of one hundred dollars each; and

the company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock to so much as in their opinion may be necessary to complete and equip the said road and carry out the true intent and meaning of this act.

SECTION 3. That the said company shall have the right to construct a railroad from the city of Meadville, in the county of Crawford, to the city of Titusville, in same county, and also when within the limits of the said county, and at any or at all points along the said route, to connect with any other railroad or railroads.

Construction of
railroad au-
thorized.

SECTION 4. That the said company may at any time borrow such amount of money as they may deem expedient or necessary for the construction and equipment of the road hereby authorized to be built, issue bonds with or without coupons therefor, in sums not less than one hundred dollars, payable at such times and on such terms and at such rate of interest, not exceeding seven per cent. per annum, as they may deem proper, and may secure the payment thereof by mortgage or mortgages upon said railroad, its property, rolling stock, tolls, rights and franchises or any part thereof.

May borrow
money and
issue bonds.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1344.

An Act

To exempt the church property of the Presbyterian congregation of Mechanicsburg from the payment of county, bounty, borough and school taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the church property of the Presbyterian congregation of Mechanicsburg, situated on the south side of Locust street, in said borough, be and the same is hereby exempt from the payment of all county, bounty, borough and school taxes, from and after the passage of this act.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1345.

A Supplement

To an act to incorporate the Northern Railroad and Navigation Company, approved March twenty-third, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing work on the Northern Railroad and Navigation Company, be and the same is hereby extended for three years, from the first day of April, Anno Domini one thousand eight hundred and seventy.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1346.

An Act

To incorporate the Sharpsburg and Etna Gas Company, in the borough of Sharpsburg, county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That F. H. Collier, James C. Lewis, T. H. Gibson, William Smith, Peter Prager, John L. Loyd, C. H. Spang, R. Chessman, E. Eichenlaub, Francis Kline, R. H. Roach, Jacob Schild, A. Lyon, G. H. Keyser, Joseph Hart, J. Keil, Dr. Redlich, D. Heiber, L. Winchell, J. H. Sawyer, and R. C. Loomis, J. W. O'Brien, Gottleib Werts, James Saint, A. L. Robinson, be

Authorized to establish gas company.

and they are appointed commissioners, who, or a majority of them, are hereby authorized to carry into effect the establishment of a gas company, to furnish gas for the boroughs of Sharpsburg and Etna, with a capital stock of six hundred shares, of fifty dollars each, with the privilege of increasing it to one thousand shares; said company to be organized,

Capital stock.

managed and governed as provided by the act regulating gas and water companies, approved the eleventh of March, one thousand eight hundred and fifty-seven, and subject to all the restrictions and provisions, together with all the immunities contained in said act. How to be organized, &c.

SECTION 2. That the said Sharpsburg and Etna Gas Company shall have power and authority to lay their pipes across the Sharpsburg bridge, and connect their pipes with the Pittsburg Gas Company, by and with the consent of said bridge company and said Pittsburg Gas Company, on such terms and conditions as may be agreed upon by said companies. May lay pipes across Sharpsburg bridge and connect with pipes of Pittsburg Gas Company.

SECTION 3. That said Sharpsburg and Etna Gas Company shall at no time charge a greater price than at the rate of four dollars per one thousand cubic feet. Limited as to price.

SECTION 4. That so soon as the said company shall put down their pipes upon any of the avenues, streets, roads or alleys in said territory, the borough councils of either borough may direct the placing and construction of such gas lamps or posts at such places as they may think proper, and direct the construction of the same under the supervision of their own appointed officers. Councils may direct placing of lamps on streets

SECTION 5. That the councils of said boroughs shall have, hold and exercise the same rights, powers and privileges, in regulating the occupation of any of their streets by said company, in taking up or laying its pipes or in any other way, as are held by the city of Pittsburg, in relation to the Pittsburg Gas Company. Powers of councils in regulating occupation of streets, &c.

SECTION 6. The said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law. Bonus and taxes

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1347.

An Act

To establish a ferry over the Monongahela river, at Belleverson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That L. M. Speer, of Westmoreland county, W. F. Speer, of

Ferry authorized.

Fayette county, and Noah Speer, of Washington county, their heirs and assigns, are hereby authorized to keep and maintain a ferry over the Monongahela river, at Bellevernon, between landings owned by said parties on the state road leading from Canonsburg to Mount Pleasant.

To be kept in good order.

SECTION 2. That the persons named in this act, their heirs and assigns, shall keep the said ferry in good order and repair for the transportation of teams, travelers and stock of all descriptions, and keep a sufficient number of boats to avoid all unnecessary delays; and it shall not be lawful for any other person or persons to establish, keep and maintain a ferry over the Monongahela river, within a distance of one mile above or below said ferry.

Prohibition.

Tolls.

SECTION 3. As compensation for accommodating the public, the parties authorized to maintain this ferry shall not be entitled to charge more than the following rates: For each person, five cents; for horse, ten cents; for horse and vehicle, twenty-five cents; for two horses, oxen or mules, and vehicle, forty cents; for each additional horse, ox or mule, ten cents; for all lots of sheep less than fifty head, fifty cents; for lots from fifty to one hundred head, one dollar; for more than one hundred, one cent per head; for cattle in lots from five to ten head, fifty cents; for cattle in lots under five head, ten cents per head; for cattle in lots over ten head, five cents per head; for all lots of hogs under five head, ten cents per head; for lots from five to fifteen head, five cents per head; for lots of fifteen or upwards, three cents or upwards.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The first day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1348.

A Supplement

To an act, entitled "An Act giving the assent of this commonwealth to the act of the legislature of New Jersey, entitled 'An Act to incorporate the Columbia Delaware Bridge Company,'" approved June twenty-fourth, one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That in all cases where freeholders have now been appointed, or shall hereafter be appointed, by any justice of the peace, for the assessment of damages claimed by any person, it shall be the duty of the said freeholders to make out their assessment of damages and return it, under their hands, to the justice of the peace who appointed them, who shall enter all the proceedings in the case fully and at large upon his docket, as in other civil cases brought before him; and if either party shall feel aggrieved by the decision of the said freeholders, the party so aggrieved may appeal to the court of common pleas of the county of Northampton, at the next term after the decision of the said freeholders, by proceeding in the form of a petition to the said court, with five days' notice in writing to the opposite party, of such appeal; of which appeal, so entered, the said court of common pleas of the county of Northampton shall have full jurisdiction, and shall proceed to hear, try and determine the same as other civil actions are tried and determined in the said court, with right to either party to a jury of view if required; and on such trial either party may take bills of exception and a writ of error; and the said court shall have power to enter judgment and award costs in favor of the party prevailing in the said suit, and the judgment and costs shall be collected in the same way as other judgments of the said court are now collected.

Duty of freeholders appointed to assess damages.

Party aggrieved may appeal to court.

Proceedings on appeal.

SECTION 2. That the said act of assembly of June twenty-four, one thousand eight hundred and thirty-nine, so far as it conflicts with the provisions of this supplement, is hereby repealed.

Repeal.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1349.

An Act

To incorporate the New Brighton and Beaver Falls Passenger Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John C. Duff, Sam. B. Wilson, Andrew Duff, John Reeves, H. T. Reeves, Henry Hice, William Kennedy, Chris.

Corporators.

Title. Construction of railroad au- thorized.	O. Rourke, Robert Duncan, John C. Courtney, Joseph R. Harrah, their associates and successors, be and they are hereby constituted a body politic and corporate, by the name, style and title of the New Brighton and Beaver Falls Passenger Railway Company, with power to lay out and construct a railway, of single or double track, for cars to be drawn by horse power, from the point where the southern line of the
Route.	borough of New Brighton crosses the public road leading to Rochester; thence by said public road to Main street, in said borough of New Brighton; thence along Main street to Broadway; thence along Broadway to Bridge street; thence along Bridge street to the bridge across Big Beaver creek; thence across said bridge (known as the Brighton bridge;) thence by the public road to Main street, in the borough of Beaver Falls; thence along Main street to Patterson street; thence eastward along Patterson street to Lincoln street; thence down Lincoln street to Harmony street; thence up Harmony street to Second; thence down Second street to Tank street; thence down Tank street to Mill street, and thence along Mill street to Main street aforesaid; and the said company shall have the right to convey passengers and freight over the said route, and shall have the right to purchase real estate, and to erect thereon such buildings and improvements as may be necessary or expedient for the purposes and convenience of said company, and also to purchase the necessary equipments for the conveyance of passengers and freight on the said railway.
Rights.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each: <i>Provided</i> , That said capital stock may, by a vote of the stockholders, convened for that purpose, be increased as much as in their opinion shall or may be necessary to complete said railway, and to carry out the full and true intent and meaning of this act.
Organization.	SECTION 3. That said parties hereinbefore named, or a majority of them, may proceed to organize said company, and obtain subscriptions to the capital stock thereof; and when five hundred shares shall have been subscribed, and five dollars paid in on such share so subscribed, they, or a majority of them, shall give at least three weeks' notice, in two or more weekly newspapers, printed in the county of Beaver, of a time and place to be by them appointed, at which the subscribers shall proceed to choose by ballot five managers, all of whom shall be citizens of the county of Beaver, who shall immediately choose one of their number to be president, all of whom shall serve until the third Monday of January then next succeeding, or until their successors are regularly and lawfully chosen: <i>Provided</i> , That each stockholder shall be entitled to one vote for each and every share of stock held by him or her.
Election of managers.	SECTION 4. That by the corporate name aforesaid the parties hereinbefore named, their associates and successors, shall have perpetual succession, with power to make a corporate seal, and the same to alter, modify and renew at pleasure, and to ordain, establish and put in execution such by-laws, ordi-
Votes.	
Powers and privileges.	

nances, rules and regulations as shall appear necessary and convenient for the government of said corporation, and not being contrary to the constitution of the United States or of this commonwealth, and shall be able and capable of taking and holding their capital stock, and the increase and profits thereof, and of purchasing, taking, receiving and holding all such real estate and personal property as may be necessary or convenient to enable them to carry on the traffic of their said road, and the other purposes for which they are incorporated, with economy, facility and dispatch, and the same to barter, sell, exchange, let or lease, on ground rent, mortgage, or lease or otherwise dispose of at their pleasure, and of suing and being sued, pleading and being impleaded, by their corporate name; and shall have generally all the rights, privileges, franchises and incidents belonging and appertaining to a corporation, and the right of doing all and every other matter which a corporation may lawfully do.

SECTION 5. That the dividends of so much of the profits of the said company as shall appear advisable to the directors thereof shall be declared in the months of July and January in each and every year, and be paid at the office of the said company at any time after ten days from the time of declaring the same; but said dividends shall in no case exceed the amount of the net profits of said company, so that the capital stock shall never be impaired thereby; and if said directors shall make any dividends impairing the capital stock of said company, the directors consenting thereto shall be liable, in their individual capacities, for the amount so divided; and each director present when such dividends shall be declared shall be considered as consenting thereto, unless he or they enter their written protest upon the minutes of the board, and give public notice of the same. Dividends.

SECTION 6. That said company shall have power to raise on their bonds or other security, or on bonds to be secured by a mortgage of their road, including all its stock and franchises, any sum of money not exceeding one-half of the amount of their capital stock, for the purpose of carrying out the true intent and meaning of this act: *Provided*, That no bond shall be issued for a less sum than one hundred dollars, or bear interest at a rate not exceeding seven per centum. Authorized to raise money on bonds.

SECTION 7. That said company shall not allow the transfer of any share or shares of stock, except by resolution of the board of directors, until all the instalments have been paid; and no such transfer shall operate to release a stockholder from liability to pay any instalment due or to become due thereon; and if any stockholder shall omit, for the space of three months, to pay any instalment which shall have been called for, the directors may either declare the share or shares of stock on which any instalment or instalments is or are unpaid as aforesaid to be forfeited, or may bring suit to recover the said instalment or instalments, with interest at the rate of twelve per centum per annum, against the person or persons appearing by the books to be or to have been the owner or owners thereof. Proviso.

SECTION 8. That before using or occupying any portion of

Proceedings in case of disagreement upon terms for use of bridges.

any bridge owned by any bridge company, if said bridge company and the said railway company shall fail to agree upon the terms for the use thereof, the court of quarter sessions of Beaver county shall, upon petition of either party, fix and establish the rate of compensation to be allowed by said bridge company; and the rate of compensation so fixed shall be final and conclusive, and at least ten days' notice of the filing of said petition shall be given to the opposite party.

Gauge.

SECTION 9. That said railway company shall be required to lay the track of their road at such a gauge as to be most convenient for the use of carriages passing over said road; and in all cases the carriage or vehicle following the car shall have the right to the track, and the carriage or vehicle passing in the opposite direction shall be required to turn off the track.

Right to track, regulated.

Penalty for injuring property, &c.

SECTION 10. That if any person or persons shall wilfully break, remove, destroy or injure any part of the said railway, or the cars, carriages, stations, houses or other buildings or property of said company, or shall, without the consent of said company, obstruct or impede the passage on or over the said railway, or any part thereof, the person or persons so offending shall forfeit and pay, for every such offence, the sum of five dollars, to be paid in the county treasury; but no such suit shall be brought, unless commenced within sixty days after such offence shall have been committed; and the person or persons so offending shall be and remain liable, in addition to such penalty, to action or actions at the suit of the said railway company, for any loss or damage occasioned by his or their acts as aforesaid.

Not to obstruct streets or road.

SECTION 11. That the said company shall never obstruct the streets or roads over which their road passes, by permitting freight or burden cars to stand on the crossings thereof for a greater length of time than may be necessary for taking on freight and transacting the necessary business pertaining to said railway; and the fare to be charged upon said road shall be regulated, from time to time, by the directors of said company.

Fare.

Commencement and completion.

SECTION 12. That said company shall commence the construction of the railway hereby authorized, within five years after the passage of this act, and complete at least one mile thereof within one year thereafter; and the completion of said one mile shall secure and continue all the corporate rights, privileges, franchises and incidents herein conferred.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1350.

An Act

To authorize the trustees of Hancock Lodge, number forty-three, Independent Order of Odd Fellows of the state of Pennsylvania, to sell certain real estate.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the present trustees of Hancock Lodge, number forty-three, Independent Order of Odd Fellows of the state of Pennsylvania, city of Philadelphia, or their successors, be and they are hereby authorized and empowered to sell, either at public or private sale, for the highest price that can be obtained, or disposed of in such manner as they may deem advisable, all that three-story brick messuage or tenement and lot or piece of ground, situate in Nineteenth ward of the city aforesaid, on the southerly side of Cumberland street, commencing at the distance of one hundred and fifty feet nine and five-eighths inches westward from the west side of Sepoiva street, containing in front or breadth on said Cumberland street fifteen feet, and of that width extending southwardly between lines parallel with said Sepoiva street, ninety feet, et cetera, being the same premises which Alexander Dubois and wife, by indenture dated the twenty-eighth day of August, one thousand eight hundred and fifty-seven, granted and conveyed unto Joshua M. Hopper, Jacob Dawson and William Otley, then trustees of the said Hancock Lodge, number forty-three, I. O. of O. F., subject, et cetera, and execute, make and deliver to the purchaser or purchasers thereof, a deed or indenture conveying the same in fee simple, which said deed or indenture shall be valid and effectual to all intents and purposes, in law and equity, to convey all the right, title and interest of the said Hancock Lodge, as if the members thereof had severally signed, sealed and delivered the said deed or indenture in accordance with the provisions of law.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1351.

A Supplement

To an act, entitled "An Act to establish a ferry over the Monongahela river, at the New Store," enacted on the twenty-fifth day of September, in the year of our Lord one thousand and seven hundred and eighty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Sarver, of the borough of Elizabeth, county of Allegheny, the owner of the ferry and ferry rights established and granted by the act of the representatives of the freemen of the commonwealth of Pennsylvania, entitled "An Act to establish a ferry over the Monongahela river, at the New Store," enacted the twenty-fifth day of September, in the year of our Lord one thousand and seven hundred and eighty-three, and his heirs and assigns, shall have the right to maintain a steam ferry at said point on said river, and shall have the exclusive right to maintain a steam ferry on said river within the distance of one hundred yards above or half a mile below the foot of Market street, in the borough of Elizabeth, in Allegheny county; and any person or persons using said river, for the purpose of ferrying thereon, within one hundred yards above or half a mile below said point, shall forfeit and pay, to the owner of said ferry, the sum of fifty cents for every person, team, head of cattle, horse or carriage ferried by him over said river within a half a mile below said point or one hundred yards above, to be recovered as debts of like amount are by law recoverable, but without stay of execution, or relief from any law of this commonwealth the exempting property from levy and sale for debts.

Daniel Sarver, his heirs and assigns, authorized to maintain steam ferry

Penalty on others for using river, within certain limits, for purposes of ferrying.

Tolls.

SECTION 2. That the owner of said ferry, and his heirs and assigns, shall and may collect and receive, for ferrying across said river, tolls not exceeding the following rates: For each foot person, five cents; for each person and horse, ten cents; for each one-horse wagon or carriage, twenty cents; for each two horses and wagon or carriage, thirty cents; for each three horses and wagon, forty cents; for each four horses and wagon, fifty cents, and for each additional horse, five cents; for each yoke of oxen, twenty cents; for each yoke of oxen and wagon or cart, twenty-five cents; for each head of horned or neat cattle, five cents; for each head of sheep or swine, three cents; and for all things not enumerated in this section, the amount received by other ferries of like character crossing said river.

Penalty for injuring property, &c.

SECTION 3. That if any person shall wilfully cut, break, injure or destroy any boat or other property, or shall take from its moorings any craft or boat belonging to said ferry, he, she or they, so offending, shall each of them forfeit and pay to the owner of said ferry, the sum of twenty dollars, in addition to all damages sustained by such owner, to be recovered as debts

of like amount are by law recoverable, but without stay of execution or relief from any law exempting property from levy and sale for debts.

SECTION 4. That the said Daniel Sarver, his heirs and assigns, shall pay to the authorities of the borough of West Elizabeth, the sum of five dollars per annum for wharfage, for the term of ten years; and after that he or they shall pay unto the said authorities a reasonable sum per annum for wharfage.

Wharfage to be paid Elizabeth borough.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1352.

An Act

Authorizing the Pittsburg, Allegheny and Manchester Passenger Railway Company to purchase or lease other street or passenger railroads, in Allegheny county, and to issue bonds to the amount of one hundred and fifty thousand dollars.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg, Allegheny and Manchester Passenger Railway Company shall have the fullest power, and authority is hereby given to them to purchase or lease any passenger or street railway or railways, in the county of Allegheny, commonwealth aforesaid.

May purchase or lease other passenger rail-ways.

SECTION 2. That the said passenger railway company shall have the power, and the same is hereby given to them, to issue bonds in addition to those already issued by said company; to the amount of one hundred and fifty thousand dollars, to be secured by mortgage on said railway, or on any purchased by them; said bonds to bear interest at a rate not exceeding eight per cent. per annum: *Provided,* That no bond shall be issued for a less sum than one hundred dollars; and all acts or parts of acts inconsistent with the provisions of this act be and are hereby repealed.

May issue addi-tional bonds.

Proviso.

Repeal.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1353.

An Act

To incorporate the Tionesta and Clarion Railroad Company.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Corporators.** That Erastus Barns, Webb Horton, Asa H. Barns, J. H. Williams, Jerry Crary, L. A. Rogers, Orris Hall, J. D. James, O. C. Allen, Alexander R. M'Henry, D. F. Anderson, and such others as may be associated with them, are hereby incorporated into a company, under the name and style of the Tionesta and Clarion Railroad Company, for the purpose of constructing a railroad from or near Sheffield, in the county of Warren, to some point on the Clarion river, near the mouth of Spring creek or Bear creek, in the county of Elk, with the privilege of constructing a branch to the borough of Tionesta, in the county of Forest, with a capital stock of two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, and with the privilege of increasing the same to five hundred thousand dollars, by a vote of the stockholders, at a meeting held for that purpose, after due public notice of the time and place of such meeting.
- Name.**
- Purpose.**
- Branch.**
- Capital stock.**
- Subscriptions to stock.** **SECTION 2.** That any seven of the corporators herein named may open books for the purpose of receiving subscriptions to the stock of said company, at such times and places as they may deem most advantageous to the company; and it shall be lawful to receive subscriptions in labor, materials or otherwise, under such regulations and conditions as said corporators may prescribe; and said seven corporators shall be held to be directors of the said Tionesta and Clarion Railroad Company, and shall continue to act as directors until their successors shall have been duly elected as hereinafter prescribed.
- Corporators to be directors until successors are chosen.**
- Election of directors.** **SECTION 3.** That when one-fourth of the capital stock shall have been subscribed, the corporators or directors aforesaid shall call a meeting of the stockholders, after having given four weeks' notice of the time and place, by publication in two papers printed in the borough of Warren, in the county of Warren, for the election of seven directors, to serve until the next annual election, to be held in pursuance of the by-laws to be hereafter adopted; and the said directors shall appoint one of their own number president, and also appoint all other officers necessary, and fix the salary of said president and such other officers as may be by them appointed.
- Officers.**
- Directors may contract for working or completion of road.** **SECTION 4.** That said directors may make and enter into any contract or contracts with any other railroad company in this state, or with any individual or individuals, having reference to the working or completion of said railroad, upon such terms as may be deemed just and reasonable by the contracting parties; and said directors shall have power to borrow

money, and secure the payment of the same by a mortgage on said road, with all the franchises, privileges and appurtenances thereunto belonging, or by issuing mortgage bonds, bearing seven per centum per annum, and payable in not less than twenty years nor more than thirty years: *Provided*, That said bonds shall not be issued to an amount above twenty thousand dollars per mile.

SECTION 5. The directors shall have power to fix the rates of toll for freight carried over the said Tionesta and Clarion railroad, and if deemed necessary by said directors to carry passengers, they may charge at the rate of five cents per mile, or for any fraction of a mile, such passenger may be carried.

SECTION 6. That said Tionesta and Clarion Railroad Company shall have power to connect with any railroad constructed, or to be constructed in the counties of Warren, Elk and Forest: *Provided*, That the gauge of said road shall correspond with the gauge of the Philadelphia and Erie railroad.

SECTION 7. That said directors shall have power to purchase all necessary lands, and construct all necessary buildings for the use of said company, and to enable them to carry out the full meaning and intent of this act.

SECTION 8. The said directors shall have power to make all needful by-laws and regulations for the government of the affairs and offices of the said Tionesta and Clarion Railroad Company, not inconsistent with the constitution and laws of the United States, or of this state.

SECTION 9. That the said company shall be entitled to all the privileges, and subject to all the restrictions of an act, entitled "An Act regulating railroad companies," approved the ninth day of February, Anno Domini one thousand eight hundred and forty-nine, except so far as is otherwise provided in this act.

BUTLER B. STRANG,
Speaker of the House of Representatives.
CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The second day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1354.

A Supplement

To an act, entitled "An Act to incorporate the Chester Passenger Railroad Company," approved the eighth day of April, Anno Domini one thousand eight hundred and sixty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Time for commencement and completion of road, extended.

That the time for the commencement and completion of the first mile of the railroad of the said company is hereby extended, until the eighth day of April, Anno Domini one thousand eight hundred and seventy-three, and the time of the completion of the whole of the said railroad is hereby extended until the eighth day of April, Anno Domini one thousand eight hundred and seventy-five; the completion of one mile within the period above named perpetuating all the rights conferred by the said act or this supplement.

May lay railway in roads, &c., of districts adjacent to city.

SECTION 2. That the said company shall have power to lay a railway in any road, street, lane or alley of any township, district or borough of Delaware county, adjoining the city of Chester, as fully as if the said township, district or borough had been named in said original act; and shall also have

May lease road.

power to lease its said railroad to any company, corporation or individual, for such time and upon such terms as the board of directors may deem expedient.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1355.

An Act

To incorporate the Birkey-Fish Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Dr. William J. A. Birkey, Joel M. Vanarsdalen, William J. A. Birkey, Junior, and Henry Shoemaker, of the county of Bucks, and those who shall become stockholders in the company hereinafter named, be and they are hereby incorporated into a body politic and corporate, with the rights, privileges and franchises of a corporation, by the name, style and title of the Birkey Fish Company, for the purpose of the rearing, culture and sale of spawn and fish on and near the waters of Birkey's creek, in the township of Bristol, in the county of Bucks; and for that purpose shall have the right to hold and enjoy, by purchase or lease, such lands and waters as may be necessary for said purposes, and to erect, maintain and put in operation such sluices, dams, inlets and reservoirs, buildings

Corporators.

Title.

Purpose.

Privileges.

and structures as may be necessary, and the same to lease or sell they may deem proper.

SECTION 2. That the capital stock of said company shall be fifty thousand dollars, in shares of ten dollars each, to be issued to the subscribers in proportion to the number of shares subscribed by each; and the said capital stock may be increased or diminished as the board of directors may determine. Capital stock.

SECTION 3. That if any person or persons shall wilfully destroy or injure any dam, inlet, sluice or reservoir, or shall in any manner corrupt the waters of any sluice, inlet or reservoir, whereby the spawn or fish therein may be injured or destroyed, or shall, without permission or authority, fish in the ponds, reservoir or creek, and shall take fish from the same, or shall do and commit injury to the buildings or trees upon the grounds of said company, the same shall be a misdemeanor, and on conviction thereof in the court of quarter sessions of Bucks county, he or she so offending shall be fined by said court in a sum not less than fifty dollars nor more than one thousand dollars, and shall undergo an imprisonment in the county jail of Bucks county, not less than ten day days nor more than six months. Penalty for injuring dams, corrupting waters, &c.

SECTION 4. That the corporators above named shall, at the call of any three of their number, of which five days' notice shall be given in writing to the other corporators, assemble on the premises, on Birkey's farm, in Bristol township, on a day fixed for that purpose, and then and there organize said company by electing one of their number president, and one secretary and treasurer; and the said corporators shall form a board of directors to manage the affairs of said company for one year thereafter. Organization.

SECTION 5. That it shall be the duty of the secretary and treasurer to open books of subscription to the capital stock of said company, and issue certificates of stock as may be provided in the by-laws. Duty of secretary and treasurer.

SECTION 6. That the directors of said company may from time to time enact such by-laws, rules and regulations as may be necessary for the management of said company, not inconsistent with the constitution and laws of this commonwealth. By-laws, rules and regulations.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1356.

Supplement

To an act to incorporate the Lincoln Market Company, approved March twelfth, one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the amount of the capital stock of said company shall be fifty thousand dollars, divided into shares of fifty dollars each, with the privilege of increasing the said capital to one hundred thousand dollars; and so much of the act to which this is a supplement, as authorizes the said company to issue stock to the amount of two hundred and fifty thousand dollars, is hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and seventy

JNO. W. GEARY.

No. 1357.

An Act

To incorporate the Malvern Coal Company of the State of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators. That Walter E. Cox, John W. Bradford, D. K. Shoemaker, Abram S. Schropp and C. O. Brunner, and their associates and successors, be and are hereby incorporated into a body corporate and politic, by the name, style and title of the Malvern Coal Company, and by the same name, style and title

Title. the said company shall have perpetual succession, and be able and capable in law to sue and be sued, to have a common seal, and to enjoy all the rights and privileges and franchises incident to corporations.

Capital stock. SECTION 2. That the capital stock of the company shall be divided into shares of fifty dollars (\$50) each, and shall con-

sist of one thousand (1,000) shares, with the privilege of increasing the same, by consent of a majority of the stockholders, to not exceeding ten thousand (10,000) shares, each of which shares shall be entitled to one vote at any election or meeting of the company, either in person or by proxy, of the holder thereof; said shares shall be transferable by the owner or owners thereof, their executors, administrators or attorney duly and lawfully authorized, in book or books to be provided for that purpose, in such manner as the directors or by-laws of the company may direct.

Votes.

Shares transferable.

SECTION 3. That subscriptions to the capital stock of the said company may be paid in real or personal estate appropriate to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority in interest of the stockholders; and the said corporation may borrow money or create indebtedness in such way or manner as the board of directors may determine.

Payment of subscriptions, &c.

SECTION 4. That the said corporation shall be able and capable in law to take, receive and hold in fee simple, or for any less estate, lands and mineral rights, with their appurtenances, not exceeding in the whole three thousand acres at any one time, with power to mortgage, sell or lease, or otherwise dispose of the same, or any part thereof; and the said company shall have the right to prove and open mines, to mine and prepare for market coal, iron ore, limestone, fire-clay and other minerals, and to transport said articles, or any of them, to market and to dispose of same, as well as to do all other such acts and things, and to make such erections and improvements as the successful prosecution of said operations may seem to demand or require.

Mining privileges.

SECTION 5. That any incorporated railroad company or iron company shall have the right to own and hold the capital stock or to purchase the bonds and other evidence of indebtedness of said company.

Railroad and iron companies may hold capital stock, &c.

SECTION 6. That the five persons named in the first section of this act shall be directors of the said corporation until their successors are chosen by the stockholders thereof; and the said stockholders shall annually hereafter elect five directors, who shall choose from among their number a president; due notice of elections, meetings of stockholders shall be given, and the same are to be held at such times and places as the directors or by-laws of the company may fix; but a failure to elect directors shall not work as a non-user, but those in office shall continue therein until others are duly chosen.

Corporators to be first directors.

Election of directors.

SECTION 7. That the said company may enact by-laws for its government; and the board of directors shall have power to fill all vacancies occurring therein, to choose a treasurer and secretary, and to fix the amount of and times for declaring dividends of the profits or of the assets of the said company.

By-laws.

Powers of directors.

SECTION 8. That the corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per cent. on the capital stock hereby authorized or hereafter created, in two equal annual instalments, and such other tax as is now or may hereafter be imposed by law on corporations; and the

Bonus and tax.

Individual liability.

stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, to be sued for and collected as is provided in the twelfth, thirteenth and fourteenth sections of the act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1358.

An Act

To incorporate the State Line and Juniata railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Commissioners.

That C. P. Miles, S. E. Duffield, James Pott, Daniel Fore, George A. Smith, William A. Kendall, William M. Patterson, Benjamin Fisher, John Linton, A. J. Fore, Mark Dickson, James Cooper, James Kelley, William F. Trout, William S. Nelson and John M. Sloan, of the county of Fulton, and William B. Leas, F. H. Lane, T. E. Orbison, Samuel M'Vitty, Richard Ashman, Newton Madden, George Swine, J. A. Shade, John Bare, P. P. Dewees and Cyrus Jeffries, of the county of Huntingdon, or any nine of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of State Line and Juniata Railroad Company, with all the powers and subject to all the provisions and restrictions prescribed by an act, entitled "An Act to regulate railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and its supplements, except so far as the same are not altered or supplied by this act.

Title.

Subject to.

Construction of railroad authorized. Route.

SECTION 2. The said company shall have the right to construct a railroad, with one or more tracks, commencing at or near a point on the Maryland line, where the said line crosses Licking creek, in the south-west corner of Franklin county, in the state of Pennsylvania, and thence extend the same *via* the said Licking Creek valley, and the valley of the East Branch of said Licking creek, to connect with the Penn-

sylvania Central railroad, at or near Mount Union, in Huntingdon county, or the most eligible and practicable point on said railroad.

SECTION 3. That the capital stock of said company shall consist of one million dollars, to be divided into shares of fifty dollars each, and the said company may from time to time, by a vote of a majority of its stockholders, at a meeting called for that purpose, increase the said capital stock to so much as in their opinion may be necessary to complete and equip the said road, and carry out the full intent and meaning of this act.

Capital stock.

SECTION 4. That the said road shall be commenced within five years, and shall be completed within ten years of the date of the passage of this act.

Commencement and completion.

SECTION 5. That the said company is hereby authorized to connect its road with and cross any other railroad or railroads in the county of Huntingdon, or adjacent counties, now built or hereafter to be built, and to extend its road north-westwardly to lake Erie.

May connect with and cross other roads.

SECTION 6. That the said company may at any time borrow such amount of money as they may deem expedient and necessary for the construction and equipment of the road hereby authorized to be built, issue bonds with or without coupons therefor, in sums not less than fifty dollars, payable at such times and on such terms, and at such rate of interest as they may deem proper, dispose of the same on such terms as they may deem proper, and may secure the payment thereof by mortgage or mortgages upon said railroad, its property, rolling stock, tolls, rights and franchises; or any part thereof or of its branches.

May borrow money and issue bonds.

SECTION 7. That the said railroad company is hereby authorized to commence the construction of their railroad at any point on the line thereof; with the right to build branch roads into the Broad Top coal field, not exceeding twenty miles in length.

Work may be commenced at any point.

Branches.

SECTION 8. That the incorporators herein named, or any nine of them, who are hereby created a corporation, shall be directors of said company, with power also to elect a president from among their number, until the first Wednesday in February ensuing the passage of this act, on which day and annually thereafter the stockholders shall, on such notice as the board of directors may prescribe, elect a president and nine directors, who shall continue in office until their successors shall be elected.

Corporators to be first directors.

Election of directors.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED:—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1359.

An Act

To incorporate the Conneaut Police Company of Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Incorporation.

That the persons who have associated themselves into a company for the recovery of stolen horses and other property, and for the detection of thieves in Conneaut and vicinity, in the county of Crawford, with such persons as shall hereafter be admitted members thereof, shall be and they are hereby created a body politic and corporate, by the name, style and title of the Conneaut Police Company; and they are hereby ordained and declared a body politic and corporate in fact and in law, with power to hold property, make contracts, sue and be sued, to choose such officers as they may deem necessary, and to make all needful by-laws, rules and regulations for the government of said corporation and the furtherance of its objects, not inconsistent with the constitution and laws of the United States or of this commonwealth: *Provided*, That said company shall not hold property to an amount exceeding two thousand dollars.

Title.

Powers and privileges.

SECTION 2. Each member of said company shall contribute equally to the payment of all losses and proper expenses and fines of said company; and the officers shall have power to assess and collect the same as taxes are now collected by law.

Payment of losses and expenses.

SECTION 3. That each and every member of said company shall have the same power of arrest, detention, et cetera, as allowed by law to the police of the city of Philadelphia.

Powers of members.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1360.

An Act

To exempt certain church parsonages in the city of Philadelphia from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the parsonage of the Asbury Methodist Episcopal church, number three thousand four hundred and forty-nine, Chestnut street, in the Twenty-seventh ward of the city of Philadelphia, and the parsonage of the Blockley Baptist church, situate on the west side of Forty-third street, north of Westminster avenue, in the Twenty-fourth ward of said city, be and the same are hereby exempted from taxation.

Certain parsonages exempted from taxation.

SECTION 2. All that certain lot or piece of ground with the three-story brick messuage or tenement thereon erected, described according to a recent survey made thereof by John F. Wolf, Esq., surveyor, as follows, to wit: Situate on the east side of Fifth street, at the distance of one hundred and ninety-three feet ten inches northward from the north side of George street, in the Sixteenth ward of the city of Philadelphia, containing in front or breadth on the said Fifth street sixteen feet five inches, and extending in length or depth eastward of that width between parallel lines with the said George street, eighty-two feet, be and they are hereby exempted from all taxation except for state purposes.

Certain lot exempted from taxation.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1361.

An Act

To incorporate the Pittsburg Coal and Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Wesley Wilson, William D. Mullin, J. J. Lawrence, John Pitcairn, Junior, and John Ballentine, their associates, successors and assigns, shall be and they are hereby constituted a body politic and corporate, by the name, style and title of the Pittsburg Coal and Mining Company, for the mining of coal at or near Catfish, in the county of Clarion, in the state of Pennsylvania, and by said name, style and title shall have succession, and a common seal, with power to alter the same at pleasure, and shall have power to sue and be sued, plead and be impleaded, in any court of this commonwealth or elsewhere, and to appoint all necessary agents and assistants, and may have all the right and powers necessary to carry on,

Corporators.

Title.

Powers and privileges.

manage and develop their business as a coal company, in the mining and preparing of coal, and fitting it for and transporting it to market, in all the various ways they may deem desirable, and to open mines, sink shafts, erect machinery, and to make and maintain roads and drains for carrying off water from the mines, and also lateral railroads, not exceeding five miles in length, to connect with any other railroads, and generally to mine, make, vend, transport, sell and dispose of all such coal, lumber, materials and articles as they may deem proper or necessary in the prosecution of their business, and for that purpose shall have power to purchase and hold in fee simple, or under lease, or otherwise, not exceeding three thousand acres of land, and to purchase and hold all such personal and other property as may be necessary or convenient for the prosecution of their business, and may carry on their business, or so much thereof as may be convenient, beyond the limits of this commonwealth, and may there hold any real or personal estate necessary or convenient for conducting the same, and to sell and dispose of property, real or personal, or any part thereof, of said company, in fee simple, or lease the same for a term of years.

Subscriptions to capital stock.

SECTION 2. That a majority of the corporators herein named may proceed to open books for subscription to the capital stock of said company, at such time and place as they may designate, giving not less than ten days' notice to the said corporators; and when one thousand shares of stock are subscribed for, and fully paid in money or in property, as herein provided by the said corporators named in this act, they, or a majority of them, shall call a meeting of the stockholders for holding the first election of directors of said company, giving not less than ten days' notice of the time and place of holding said election; and when said election is made, this act shall take full effect; each share of stock shall be entitled to one vote, and stockholders may vote in person or by proxy authorized in writing; but no proxy shall be valid unless executed and dated within six months previous to the meeting at which it is used, if the maker thereof resides in the United States.

First election for directors.

Votes.

Capital stock.

SECTION 3. That the capital stock of the said coal company shall be three hundred thousand dollars, to be divided into shares of fifty dollars each, with the right and power in said company to increase its capital stock from time to time as a majority of its stockholders may elect, to any sum not exceeding five hundred thousand dollars; the subscription to the capital stock may be made payable in money or in real or personal property appropriate to the business of the company, at a fair valuation to be fixed upon by a majority in interest of the stockholders at the time of such subscription; and such subscription may be made by the corporators herein named, according to their several interests, in any real or personal estate now held by said corporators, or by any person in trust for them, for the purposes contemplated in this act; but no corporator shall be permitted to subscribe for a larger number of the shares of the capital stock than the pro rata interest in said real or personal estate may entitle him to.

Subscriptions, payment of, and how made.

Management.

SECTION 4. That the affairs of said company shall be man-

aged and conducted by a board of five directors, elected from time to time by the stockholders, at an annual meeting to be held at the office of said company, at Pittsburg, in the county of Allegheny, and state of Pennsylvania, on the second Tuesday of February in each year; said board of directors shall be stockholders, and shall be elected annually, after the first election, as hereinbefore provided for, and shall hold their office for one year, and until their successors are elected; but any failure or omission to elect such directors annually shall in no wise impair or affect meanwhile the rights and powers of those holding over, or the rights or interests of said company in any way; said board of directors shall elect a president from one of their number, and shall appoint a treasurer and secretary, who shall be stockholders, and such other officers and agents as they may deem necessary to manage the affairs of the company, and shall fill all vacancies occurring in their own body, until the next succeeding election by the stockholders; and a majority of said board shall form a quorum for the transaction of business; they shall have power to make by-laws for the regulation of the affairs of the company, subject to the revision and approval of the stockholders, and not inconsistent with the laws of this commonwealth.

Annual election for directors.

Failure to elect.

Officers and agents.

Vacancies.

Quorum.

By-laws.

SECTION 5. If the directors shall declare any dividend when the said company is insolvent, or the payment of which would render it insolvent, they shall be jointly and severally liable for all the debts of the company then existing, and for all thereafter contracted, so long as they respectively continue in office: *Provided*, That the amount for which they shall be liable shall not exceed the amount of such dividend; and if any of the directors are absent at the time of making the dividend, or object thereto at said time, and file their objections in writing with the clerk of the company, they shall be exempted from such liability.

Dividends.

SECTION 6. That said company may borrow money and create indebtedness in such way and manner as the board of directors may deem necessary for the prosecution and management of the business of the same, and issue the securities of said company therefor, in such form and manner and payable in such place as they may deem proper, at a rate of interest not exceeding seven per centum per annum, and dispose of such securities to the best advantage, in such manner and at such places as such board may direct: *Provided*, That the indebtedness of the company for money borrowed shall not at any time exceed ten thousand dollars: *And provided*, That directors shall not have power to mortgage or encumber the real estate or franchises of the said company for money borrowed as aforesaid.

May borrow money and issue securities therefor.

Limitation.

Prohibition.

SECTION 7. That this corporation shall pay into the treasury of the commonwealth a bonus of one-half of one per centum on the capital stock hereby authorized or hereafter created, in four equal annual instalments, and such taxes on dividends as is or may be provided by law; and the stockholders of said company shall be individually liable for all debts due mechanics, workmen and laborers employed by said company, and for all materials and provisions furnished to said com-

Bonus.

Taxes on dividends.

Individual liability.

pany, to be sued for and collected as provided in the twelfth, thirteenth and fourteenth sections of an act incorporating the Lackawanna Coal and Iron Company, approved the fifth day of April, one thousand eight hundred and fifty-three.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1362.

An Act

To incorporate the Elk and M'Kean Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
 That George Weis, Charles Luhr, R. C. M'Gill, E. C. Shultze, Joseph Wilhelm, J. B. Coryell, Amos Horning, Jacob M'Canby, J. S. Hyde, Byron D. Hamlin, N. F. Jones and Lucius Rogers, or a majority of them, be and they are hereby appointed commissioners, and they are hereby authorized to open books, receive subscriptions and organize a company, by the name, style and title of the Elk and M'Kean Railroad Company, with all the powers, and subject to all the provisions and restrictions, not inconsistent with this act, prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. The capital stock of said company shall consist of two thousand shares, of the value of fifty dollars each, and said company shall have authority to increase the capital stock from time to time, to such an amount as the stockholders representing a majority of the stock shall agree, at a general meeting of the stockholders, or at a special meeting called for that purpose.

SECTION 3. The board of directors of said company shall consist of a president and six directors, residents of the United States, and may hold the meetings of the board at any place in this commonwealth or elsewhere; but the general and special meetings of the stockholders shall be held at the borough of St. Mary's, in the county of Elk, in this commonwealth.

Commissioners

Title.
Subject to.

Capital stock.

Directors.

Meetings.

SECTION 4. Said company shall have power to locate and construct a railroad from the south line of Elk county, by the way of St. Mary's, to a point at or near the mouth of Potato creek, in the county of M'Kean, by such route or routes as said company shall deem best, and to connect with the Buffalo and Washington, Philadelphia and Erie, or any other railroads, and to construct all such branches, in the counties of Elk and M'Kean; as they may deem proper for the transportation of the products of said counties.

Construction of railroad authorized.

Branches.

SECTION 5. For the purpose of aiding in the construction of their works, said company is hereby authorized to receive, in payment of subscriptions to the capital stock or as donations, any lands situated in the counties of M'Kean, Cameron and Elk, along or in the vicinity of the works they are authorized to construct; and said company is hereby authorized to purchase, receive, hold, lease, mortgage and sell all such lands as may be sold, subscribed, donated or otherwise granted to them, and to erect buildings and machinery, and do all the work necessary to obtain and prepare for market the products of said lands, and to sell and to dispose of such products.

May receive lands in payment of subscriptions to stock, &c.

SECTION 6. Said company is hereby authorized to borrow money not exceeding one million dollars, at a rate of interest not exceeding seven per centum per annum, on the bonds of the company, to be secured by mortgage on the whole or any part of their works, lands and franchises, and may sell and dispose of said bonds on such terms, and at such rates as may be agreed upon between the parties, and may confer on the holders of the same the right at any time to convert the the principal and interest thereof into stock of said company.

Authorized to borrow money on bonds.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1363.

A Further Supplement

To the act incorporating the Mutual Fire Insurance Company of Berks county, approved January thirty-first, Anno Domini one thousand eight hundred and forty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

May insure in any town or borough.

That it shall and may be lawful for the Mutual Fire Insurance Company of Berks county to insure against loss by fire, on real and personal property in any village, town or borough: *Provided*, That no insurance shall be made in any town or borough known to contain more than three thousand inhabitants.

Repeal.

SECTION 2. That any part of the act to which this is a supplement, and the supplements thereto, which is inconsistent with this act, is hereby repealed.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1364.

An Act

To incorporate the Huston Township Co-operative Mutual Fire Insurance Company of Blair county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Adam Fouse, John Acker, of Henry, D. A. Fouse, Frederick Fouse, James Roller, George Greaser, Jacob Higgins, L. H. Mattern, their associates, successors and assigns, are hereby created a body politic and corporate in law, under the name, style and title of the Huston Township Co-operative Mutual Fire Insurance Company of Blair county, Pennsylvania, and that by that name shall have perpetual succession, shall have a corporate seal, and be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere; any person owning property may become a member of the said association, under such rules and regulations as shall be adopted by the by-laws of the company, and by signing an agreement to pay a pro rata proportion, in case any property belonging to any member of said company may be destroyed by fire, which each member shall be liable for, and in default of payment thereof, after thirty days' notice, shall cease to be a member, and shall forfeit all right, title and interest in any insurance in said company, together with the amount he or she may have previously paid; the corporators aforesaid shall have the power to appoint a president, vice president, secretary and treasurer, and three directors,

or such other officers as may be required to carry out the object of said corporation, to serve until an election shall be held for the same; and also to ordain, establish and put into execution such by-laws and regulations as may be necessary for the government of said company, not in contradiction of this charter, or of the constitution of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the company and the due ordering and management thereof.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1365.

A Supplement

To an act amending the charter of the United States Iron Armor and Steel Manufacturing Company of Chester, Pennsylvania, approved the fourth day of February, Anno Domini one thousand eight hundred and seventy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That board of directors of the said company shall consist of any number of stockholders which the by-laws may prescribe, not exceeding thirteen; and all proceedings of and acts performed by the board of directors of the said company, consisting of nine members as now composed, are hereby legalized and made as valid and effectual as if nine members had been the number fixed to compose the said board by the several acts of assembly relating to the said company.

Number of directors.

Proceedings and acts of board, legalized.

SECTION 2. That the capital stock of the said company shall be divided into shares of one hundred dollars each; and any bond and warrant of attorney for the entry of judgment, and any judgment thereon entered, heretofore executed by the officers of the said company, by direction of the board of directors, are hereby made effectual and valid in law as fully as if executed by an individual.

Capital stock.

Bond, &c., executed by officers, legalized.

SECTION 3. That the said company shall have power to connect to its works by one or more branches of railroad, as it may deem necessary, none of them exceeding five miles in

May construct branch railroads.

length, with the Philadelphia, Wilmington and Baltimore railroad, or with the Chester Creek railroad, or both, or either, in the same manner as is provided by an act of general assembly in this commonwealth, approved April tenth, Anno Domini one thousand eight hundred and sixty-seven, relating to the said company.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1366.

An Act

To incorporate the Workingmen's Dime Saving Institution of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isaiah T. Bossert, Stephen Reed, John Crompton, Anthony C. Walters, and their successors, be and they are hereby made and created a corporation and body politic, by the name or style of the Workingmen's Dime Saving Institution of Pennsylvania, and by that name shall have perpetual succession, and by law be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend in courts of law and equity, or in any other place whatsoever, and to make, have and use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation, to be located in the city of Philadelphia: *Provided,* That a misnomer of the said corporation in any instrument shall not vitiate the same, if the intent of the parties can be clearly ascertained; the capital stock of said company shall be raised by subscription, and shall not exceed two thousand shares of fifty dollars each.

SECTION 2. That the company shall receive on deposit, from time to time, such sums of money, not less than ten cents, as may be offered by any tradesmen, clerks, mechanics, mariners, servants, minors and others, and invest the same in the stocks of this commonwealth or of the United States, or in the stocks or bonds of any city, authorized to be issued by any act of

Corporators.

Name.

Powers and privileges.

Location.

Misnomer.

Capital stock.

Business.

the legislature of this commonwealth, or in other stocks, and in bonds and mortgages, and also may buy promissory notes, not having more than six (6) months to run, with such endorsement or endorsements, and accompanied by such collateral security as may be approved of by the board: *Provided however*, That no rate of interest or discount shall be charged, except as fixed by the board, in any such purchase of stocks, bonds, et cetera, authorized by the provisions of this enactment; the said corporation shall receive all sums of money that may be offered as aforesaid, and shall invest the same in the manner aforesaid, as soon as practicable; they shall allow to the depositors interest upon the deposits, to be regulated by the trustees as hereinafter provided, and they shall pay the amounts deposited, with the interest thereon, or any part thereof, not less than ten cents, to the depositors at the place of business of the said corporation, at any time during business hours, on demand: *Provided however*, That not more than twenty-five dollars shall be required to be paid to any one depositor, upon any one day, unless a written notice of the sum intended to be demanded shall have been given, at least ten judicial days before the time when such payment is desired to be made, unless by special agreement made at the time of depositing.

Interest to depositors.

Payment of deposits.

Notice required where amount exceeds \$25.

SECTION 3. That the real estate which it shall be lawful for the said corporation to hold shall be only such as is requisite for the accommodation and convenient transaction of their business, and such as they may find necessary to purchase, either at judicial sales or otherwise, to secure debts due to them.

Real estate.

SECTION 4. That the persons named in the first section of this act shall be the first trustees of the said corporation; and all vacancies by death, resignation or otherwise, shall be filled by the board, by ballot, without unnecessary delay, and a majority of the trustees shall be required to elect; that the said trustees shall select from among themselves, as soon as practicable after the passage of this act, and annually thereafter, on the third Tuesday in January, a president, vice president and such other officer or officers as they may deem advisable; that three of the said trustees shall form a quorum, and that the affirmative vote of at least three shall be requisite to authorize the sale or transfer of securities, or the appointment of any officer receiving compensation; that the president, vice president or any trustee, or any officer or servant of said corporation, shall not directly or indirectly borrow the funds of the said corporation, nor any part thereof, nor use the same, nor any part thereof, in any other manner than that hereinbefore provided, except for the necessary expenses under the direction of the board of trustees; that the trustees shall meet at least once a month, and that any trustee omitting to attend the said regular meetings for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws not contrary to the constitution of the United States, the constitution of this state, or to the provisions of this act, and to alter the same from time as they may

First trustees.

Vacancies.

Officers.

Quorum.

Prohibition.

Meetings of trustees.

By-laws.

Rate of interest on deposits. deem expedient; and the board of trustees shall regulate the rate of interest to be allowed to the depositors.

Officers and agents to give security. SECTION 5. That the officers and agents of the said corporation shall give such security for their fidelity and good conduct as the board of trustees may require; that in all cases

Expenses of searches, &c., to be paid by borrower. of loans upon real estate the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower; that the books of said corporation shall at all

Books to be open for inspection. times, during business hours, be open for the inspection and examination of such person or persons as the legislature shall designate or appoint as agents for that purpose; that the

Subject to. said corporation shall be subject to the supervision and control of the court of common pleas of the city of Philadelphia, and the supreme court of Pennsylvania, according to the provisions of the constitution of this commonwealth, and of the several acts of assembly conferring equity jurisdiction upon the said courts.

Rates of interest on loans. SECTION 6. That the trustees of said corporation shall have authority to loan money, at such rates of interest as shall enable it, after paying the expenses of the institution, and a

Report of proceedings. dividend on its deposits of six per centum per annum, to accumulate a contingent fund of ten per cent. on the deposits on hand: *Provided*, That the report of its proceedings, when made, shall be under oath, and shall include a statement of the amount of its contingent fund.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1367.

An Act

To legalize a deed of conveyance, and its acknowledgment, made by Andrew P. Christy and Martha, his wife, date the twenty-fifth day of June, Anno Domini one thousand eight hundred and sixty, to Joseph C. Campbell, for a tract of land in Concord and Oakland townships, Butler county.

WHEREAS, Andrew P. Christy, by agreement in writing, bearing date the twenty-fifth day of May, Anno Domini one thousand eight hundred and fifty-five, did enter into a contract with Joseph C. Campbell, for the consideration therein specified, grant, bargain, sell and, by deed in fee simple, clear of all

encumbrance, convey to said Campbell the land therein described, being one hundred and twenty-eight acres and one hundred and thirty perches of land, situate in Concord and Oakland townships, in Butler county :

And whereas, The said Joseph C. Campbell paid the consideration money thereof in full and became and was entitled to receive a conveyance for the said land :

And whereas, The said Andrew P. Christy and Martha, his wife, did make, sign and deliver to said Joseph C. Campbell a deed in due form for said land, which deed bears date the twenty-fifth day of June, Anno Domini one thousand eight hundred and sixty, and the acknowledgment of the said Andrew P. Christy and Martha, his wife, was taken, certified and sealed by Joseph C. Campbell, the grantee, then an acting justice of the peace in and for Butler county, which said acknowledgment and certificate of said justice are in due form of law, but are deemed invalid for the reason stated ; now, for the purpose of curing said acknowledgment and rendering it legal, valid and operative :

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the acknowledgment of a certain deed of conveyance of one hundred and twenty-eight acres and one hundred and thirty perches of land, situate in Oakland and Concord townships, Butler county, by Andrew P. Christy and Martha, his wife, to Joseph C. Campbell, dated the twenty-fifth day of June, Anno Domini one thousand eight hundred and sixty, made before, taken and certified by Joseph C. Campbell, the grantee in said deed, and then an acting justice of the peace in and for Butler county, be and the same is hereby declared to be legal and valid, and the said deed and acknowledgment shall be and are as legal, valid and conclusive and to the same extent as if the said Joseph C. Campbell had not then been the grantee in said deed.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1368.

An Act

To incorporate the Warren and Jefferson Railroad and Coal Company.

Commissioners.	<p>SECTION 1. <i>Be it enacted by the Senale and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That Lewis F. Watson, P. Falconer, D. M'Kelvey, O. C. Allen, O. H. Hunter, E. Barns, J. K. Palmer, R. Brown, J. A. Dale, A. R. M'Henry, W. F. Dalrymple, or any seven of them, be and they are hereby appointed commissioners to open</p>
Name. Subject to.	<p>books, receive subscriptions and organize a company, by the name and style of the Warren and Jefferson Railroad Company, with all the powers and subject to all the provisions of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and its several supplements: <i>Provided</i>, That the president, vice president and seven directors shall constitute the board of managers for said company.</p>
Capital stock.	<p>SECTION 2. That the capital stock of said company be one million five hundred thousand dollars, and be divided into shares of one hundred dollars each.</p>
Construction of railroad authorized.	<p>SECTION 3. That the said Warren and Jefferson Railroad and Coal Company is hereby authorized and empowered to build, construct and equip a single or double track railroad from a convenient point on the Philadelphia and Erie railroad, in the county of Warren, to Snyder township, in the county of Jefferson, or some point adjacent thereto, and to build branch roads leading to the coal fields in any of the counties of Forest, Elk, Clarion or Jefferson, through which said railroad may pass, not exceeding ten miles in length for</p>
Branches.	<p>any one branch, and to cross any and all railroads at grade, or pass over or under in such manner as not to interfere with said roads so crossed in any way.</p>
May cross other roads.	<p>SECTION 4. That the said Warren and Jefferson Railroad Company shall have power to hold by purchase or lease, not exceeding five thousand acres of land, in any of the counties of Warren, Forest, Elk, Clarion or Jefferson at any one time, and to lease for mining, and to mine and transact the usual business of railroads and coal companies.</p>
May hold real estate, mine coal, &c.	<p>SECTION 5. That said company may at any time borrow such amounts of money as they may deem necessary for the construction and equipment of the road and branches hereby authorized to be built, and issue bonds, with or without coupons therefor, in sums not less than fifty dollars each, payable at such times and on such terms and at such rate of interest as they may deem proper, dispose of the same on such terms as may be advisable, and may secure the payment thereof by a mortgage or mortgages upon said road or its branches, the</p>
May borrow money and issue bonds.	

rolling stock, franchises or any property of said railroad whatsoever.

SECTION 6. That the corporators herein named shall become directors of said company, with power to elect a president, secretary and treasurer from their number, and so remain and continue to act as such until the third Monday of January next ensuing the passage of this act; on which day, and annually thereafter, the stockholders shall, on such notice as the directors deem necessary to prescribe, elect by ballot a president and seven directors, who shall continue in office until their successors shall be appointed; each stockholder to have a right to one vote or ballot for each and every share of stock he or she may hold, and may deposit the same by proxy, duly executed to any attorney or stockholder that may be present on such day or days of election hereby authorized and appointed are held, and at such place as the company may select: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Corporators to be first directors.

Election of directors.

Votes.

Bonus and taxes

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1369.

An Act

To incorporate the Erie and Meadville Southern Railway Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Myron Sanford, Elihu Marvin, Orange Noble, Judah C. Spencer, George B. Delemater, S. B. Dick, Cyrus Kitchen and John C. Seldon, or a majority of them, be and they are hereby appointed commissioners, to open books and receive subscriptions, and organize a company, by the name and style of the Erie and Meadville Southern Railway Company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the several supplements thereto, except as far as the same are altered or supplied by this act.

Commissioners.

Name.

Subject to.

Capital stock.

SECTION 2. The capital stock of this company shall consist of ten thousand shares, of one hundred dollars each, and the company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock to so much as in their opinion may be necessary to complete and equip the said road and carry out the true intent and meaning of this act.

Construction of railroad authorized.

SECTION 3. That the said company shall have the right to construct a railroad from the city of Erie, in the county of Erie, by way of Meadville, to the borough of Butler, in the county of Butler, and at any or at all points along the said route, to connect with any other railroad or railroads, and to construct lateral roads, not to exceed twenty-five miles in length; the gauge of said road to be four feet nine inches and a half.

May connect with other roads and construct lateral roads. Gauge.

SECTION 4. That the said company may at any time borrow such amount of money as they may deem expedient and necessary for the construction and equipment of the road hereby authorized to be built, issue bonds, with or without coupons therefor, in sums not less than one hundred dollars, payable at such times and on such terms, and at such rate of interest, not exceeding eight per centum, as they may deem proper, dispose of the same on such terms as they may deem proper, and may secure the payment thereof by a mortgage or mortgages upon said railroad, its property, rolling stock, tolls, rights and franchises, or any part thereof, or its branches.

May borrow money and issue bonds.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1370.

An Act

To annul the marriage contract between Eli Hollinger and Lizzie, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Eli Hollinger and Lizzie, his wife, of the county of Dauphin, be and the same is hereby annulled, and the said parties released and

set free and discharged from said contract, and the duties and obligations thereunder, as fully and effectually and absolutely as if said contract had never been made.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1371.

An Act

To incorporate the Wilcox and Howard Hill Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas L. Kane, A. J. Wilcox, B. D. Hamlin, Robert Patterson, H. G. Clay, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Wilcox and Howard Hill Improvement Company, and that as such they may have a common seal, with power to break and renew the same at pleasure, to be able to sue and to be sued, and to plead and to be impleaded, and enjoy all the rights, privileges and franchises incident to a corporation, with power to hold lands in fee simple, or by lease, in the counties of M'Kean and Elk, and to construct, equip and manage a railroad or railroads leading from any lands holden by them to the Philadelphia and Erie or the Allegheny Valley railroad, or connecting any two or more railroads which may be constructed by them in either or both of the said counties.

Corporators.

Title.

Powers and privileges.

SECTION 2. That for the purpose of the construction of any railroad or railroads as provided in the first section of this act, the said company shall be entitled to all the powers and privileges of any and all general railroad laws of this commonwealth.

Further powers and privileges.

SECTION 3. That further to enable the said Wilcox and Howard Hill Improvement Company to aid in the development of the minerals and other materials upon the said lands and the transportation of them to market, the provisions of sections eight and nine of the act, entitled "An Act to incorporate the Northern Railroad and Navigation Company," approved the twenty-third day of March, one thousand eight hundred and sixty-seven, be and the same are hereby extended

Certain provisions extended to.

Bonus. to the Wilcox and Howard Hill Improvement Company: *Provided*, That said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Capital stock. SECTION 4. The capital stock of said company shall be five hundred thousand dollars, to be represented in shares of one hundred dollars each, and the said company shall have power from time to time to increase the same to such an amount as they may deem necessary.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1372.

An Act

To incorporate the Central Land and Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John P. Green, D. W. Boyd, Jr., and R. D. Barclay, or a majority of them, and their associates, successors or assigns, be and they are hereby created a body politic and corporate, by the name, style and title of the Central Land and Mining Company, which shall be and is hereby fully vested with all the powers, privileges, duties and obligations conferred upon the American Mineral, Land and Mining Company, by an act of the legislature of the state of Pennsylvania, approved the thirteenth day of June, Anno Domini one thousand eight hundred and sixty-six, and any supplements thereto.

Corporators. Title. Powers, privileges, &c. Change of name SECTION 2. That the stockholders of said company may, by a vote of not less than two-thirds of their number, change the name and title of said company, which change shall be valid after the filing of a certificate in said office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1373.

An Act

To incorporate the Columbia Land and Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Albert Hewson, Bayard Butler, H. C. Spackman and T. D. Stovell, or a majority of them, their associates, successors or assigns, be and they are hereby created a body politic Corporators.

and corporate, by the name, style and title of the Columbia Land and Mining Company, which shall be and is hereby Title.

fully vested with all the powers, privileges, duties and obligations conferred upon the American Mineral, Land and Mining Company, by an act of the legislature of the state of Pennsylvania, approved the thirteenth day of June, Anno Domini one thousand eight hundred and sixty-six, and any supplements thereto. Powers, privileges, &c.

SECTION 2. That the stockholders of the company may, by a vote of not less than two-thirds of their number, change the name and title of said company, which change shall be valid after the filing of a certificate in the office of the secretary of the commonwealth, signed by the president and attested by the seal of the said company. Change of name

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1374.

An Act

To incorporate the City Insurance Company of the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That Joshua Rhodes, William M. Gormly, Henry A. Freivogle, G. L. B. Fetterman, D. Ihmsen, Robert J. Anderson, Dr. Daniel M'Meal, John H. Page, Junior, Chas. Maginn, D. Cunningham, Corporators.

Title.	<p>Charles T. Ihmsen, James K. Kerr, James T. Brady, John Allen, Terrence Campbell, John E. Downing, Robt. B. Townsend, and all other persons who may hereafter be associated with them, in the manner hereinafter prescribed, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the City Insurance Company of the city of Pittsburg, and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands and tenements, rents, annuities, franchises and hereditaments, goods and chattels, and choses in action of whatsoever kind, and the same to sell and dispose of from time to time, and also to make and have a common seal, and the same to alter and renew at pleasure, and also to make, ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall appear necessary and convenient for the government of the corporation, and for the management of its property, and the regulation of its officers and affairs, not being contrary to this charter, or the laws of the United States or of this commonwealth, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well-being of said corporation.</p>
Powers and Privileges.	
Organization.	<p>SECTION 2. That the above-named persons are hereby constituted commissioners, who, or any eight of them, shall or may at any time, within one year from the passage of this act, call a meeting of the commissioners, by giving two weeks' notice of the same in one or more newspapers printed in Pittsburg, at which meeting the commissioners shall organize and receive subscriptions to the capital stock of said company; each person subscribing for the same shall pay in cash at least ten per centum of their subscriptions, the residue to be paid in such instalments as by the by-laws of the corporation shall be directed; and when the amount of fifty thousand dollars shall have been subscribed, and ten per centum paid in cash, then it shall be lawful for the said subscribers or stockholders to hold an election for directors, all of whom shall be stockholders and residents of Allegheny county; said directors shall elect a president, vice president and secretary, which shall constitute an organization.</p>
Subscriptions to capital stock.	
Directors.	
Management.	<p>SECTION 3. The affairs of said company shall be managed by a board of directors, consisting of thirteen stockholders, to be elected annually, and such officers and agents as they shall appoint; a president, vice president and secretary shall be elected annually by the directors, from their own number, and all vacancies happening in any of said offices shall be filled by the board for the remainder of the year for which they were elected; the board shall have power to declare what number of directors, less than the whole, shall constitute a quorum for the transaction of business, and the time and manner of paying assessments on the stock.</p>
Election of officers.	
Vacancies.	
Capital stock.	<p>SECTION 4. The capital stock of said company shall consist of one hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, to be</p>

divided into shares of fifty dollars each; and there shall be paid into the treasury of said commissioners, by each subscriber to the capital, at the time of subscribing, an instalment of five dollars on each share of stock by him or them so subscribed, out of which fund shall be defrayed such incidental charges and expenses as may be incurred by said commissioners, and the remainder shall be paid to the treasurer of the corporation, as soon as the same shall be organized and the officers chosen as hereinbefore mentioned; the residue of said stock shall be paid in such instalments as by the by-laws of the corporation shall be directed; and if any subscriber, his or her assignee or transferee, shall refuse or neglect to pay any instalment called for by the directors of said company, for the space of thirty days after the same shall be payable, the amount previously paid on said stock shall become forfeited to the company, and said stock may be sold by the directors, to any person, for such price as can be obtained for the same, or the directors may proceed, at their option, to collect from such delinquent stockholder the amount of such instalment, with one per centum a month interest thereon, in the same manner as debts of the like amount are now recoverable by law; the directors shall have power to require security on all stock subscribed and not paid in, if they deem it expedient for the interest and safety of the company, and generally to adopt that course they think best calculated to advance the interest of the company.

SECTION 5. The said Iron City Insurance Company shall have full power and authority to make contracts and take risks against losses by fire or otherwise, on all kinds of buildings, merchandise and other property, either limited or perpetual; and further, to effect insurance on vessels, cargoes and freights, and on merchandise and other property transported on rivers, canals, lakes and railroads, and by steamboats, vessels, wagons or otherwise, and on railroad machinery and rolling stock, and to execute such contracts, agreements, policies and other instruments as shall or may be necessary to effect the same.

Power to effect insurances.

SECTION 6. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the corporation, according to such rules and regulations as the directors shall for that purpose ordain and establish, and not otherwise.

Assignments of stock.

SECTION 7. That all policies of insurance, contracts, bargains and other agreements authorized by this act, shall be in writing or print, under the corporate seal, and shall be signed by the president, or in his absence or inability to serve, by the vice president or other officer in that event designated by the by-laws, and shall be duly attested by the secretary, or other proper officer of said company, who may be in like manner designated, and being so signed and executed, shall be binding and obligatory upon said corporation, according to the true intent and meaning thereof.

Policies, contracts, &c.

SECTION 8. That it shall be lawful for the said corporation to invest its capital, premiums and profits on real or personal security, in bonds, notes, mortgages, ground rents, judgments,

Investments of capital, &c.

- stocks and loans of the United States and state of Pennsylvania, and stocks or loans of any borough, city or institution incorporated by the laws of this commonwealth, and in other good securities, and to sell, transfer and change the same, and re-invest the funds of said corporation, when the directors shall deem it expedient; it shall also be lawful for said company to receive, purchase and hold any real or personal property, stocks or other securities, in payment of debts due them, or to secure the same in any manner that the interests of said corporation may require; or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to sell, assign and convey the same, in fee simple or otherwise: *Provided*, Said corporation shall not exercise any banking privilege.
- Dividends.** SECTION 9. The directors shall on the first Monday of January, in each and every year, declare a dividend of so much of the profits of the corporation as to them shall appear advisable, and the dividends so declared shall be paid to the respective stockholders, agreeably to such rules and regulations as the directors shall make for that purpose; but the moneys received as premiums on risks, which shall be undetermined at the time of making such dividends, shall not be considered as part of the profits of the corporation; and no dividend shall be declared when the capital stock shall be reduced by losses or expenses, until a sum equal to said diminution shall have been added to the capital.
- Balance sheet.** SECTION 10. That within thirty days after the close of each fiscal year the officers of said corporation shall cause to be made and printed a general balance sheet, showing the amount of capital stock, amount of premiums received during the year, amount of expenses and amount of losses during the year, the balance remaining with the company, the nature of all securities in which the said balance is invested, and the amount of cash on hand, also a full account of existing policies; and the directors shall cause the said statement to be published for two weeks, in at least one newspaper published in Pittsburgh.
- Annual election of directors.** SECTION 11. The directors of said company shall be elected annually, on the second Monday of January, between the hours of ten o'clock A. M., and two o'clock P. M., at the office of the company; and at all elections the votes of the stockholders shall be by ballot, either in person or by proxy, each share of stock having one vote; no stockholder shall vote unless the whole sum due and payable on the share or shares, by him or her held at the time of such election, shall have been fully paid and discharged; the directors elected at the organization of the company shall hold their offices until the first annual election, or until new directors shall be chosen, as herein provided.
- Votes.**
- Embezzlement by officers, &c., how punished.** SECTION 12. That if any officer, agent or other person connected with or doing business for or with said company, shall fraudulently embezzle or appropriate to his or their own use, or the use of any other person or persons, any money or other property belonging to said company, or left with it or them
- May receive property in payment of debts, &c.**

as the special deposit or otherwise, he or they, upon conviction thereof in the court of quarter sessions, shall be fined in a sum not less than five hundred dollars, and be sentenced to and undergo an imprisonment in the penitentiary or county prison, for any time not exceeding two years, at the discretion of the court: *Provided*, That this conviction shall not prevent any person aggrieved from pursuing his or her civil remedy against such person or persons.

SECTION 13. The business of the company shall be carried on at such place in the city of Pittsburg as the directors shall designate, and at such agencies out of said city as they may establish, with power to establish agencies at such points as the directors of said company shall deem best. Where business
to be carried on

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1375.

A Further Supplement

To the act incorporating the West Chester and Philadelphia Railroad Company, authorizing an increase of capital stock and to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of relieving the present indebtedness of the West Chester and Philadelphia Railroad Company, whether by bond or otherwise, and providing the facilities required by the increase of the business of said company, upon its road and connections, with any extensions made or that shall hereafter be made, under due authority of law, and the management and operation of the same, it shall be lawful for the said company, from time to time, to issue, not exceeding thirty-five thousand additional shares of the preferred capital stock of said company; the total aggregate of that issued and to be issued, not to exceed two millions of dollars; and also for either or all of the said purposes to issue, from time to time, bonds of the said company to an amount not exceeding two millions of dollars, payable at such time as they may appoint, bearing interest at a rate not exceeding seven per cent. per annum, in gold or currency, with or without provision for

the payment of the company of any or all taxes on the principal or interest thereof, and to secure the said bonds by one or more mortgages of the whole or any portion of the railroad, estate, real and personal, and corporate rights and franchises, acquired and to be acquired by the said company: *Provided however*, That in creating said mortgage bonds a sufficient number thereof shall remain in the control of the trustees of the mortgage to provide for all outstanding bonds that are secured by mortgage on the property of the company.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1376.

An Act

To incorporate the Two Lick Navigation and Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Robert Mitchell, Robert Adams, William Howe, Geo. Spalding, J. M. Guthrie, J. M. Watt, Benjamin Long, F. C. Weaver, of Indiana county, William H. Morse and James Jellison, of Clearfield county, their associates and successors, be and they are hereby created a body politic and corporate, by the name, style and title of the Two Lick Navigation and Improvement Company, and as such shall have perpetual succession, and enjoy all the rights, privileges, franchises and incidents of a company.

SECTION 2. That the capital stock of said company shall be two thousand dollars, divided into shares of twenty dollars each, with the privilege to increase the same from time to time, to an amount not exceeding twenty thousand dollars; said increase, and all transfers of stock, to be made at such times and in such manner as the by-laws of said company may prescribe.

SECTION 3. That subscriptions to the capital stock of said company may be paid in real or personal estate appropriate to the business contemplated by this act, at a *bona fide* cash valuation to be agreed upon by a majority of the directors; and the said corporation may issue bonds, secured by mortgage or otherwise, to an amount not exceeding the capital stock, and sell the same at their market value, notwithstanding

Corporators.

Title.

Capital stock.

Payment of subscriptions.

May issue and sell bonds.

ing it may be less than par ; no bond shall be issued for a less sum than fifty dollars.

SECTION 4. That the president and managers of the said company shall have power to clear and improve Two Lick creek from the North Fork of said creek, at or near John Butterbang's mill, to its junction with the East Branch of said stream, and from the point where the county road leading from Indiana to Cherry Tree, *via* Pine Flats, crosses the East Branch, to its junction with the North Fork or branch, and from thence to its mouth, near the village of Homer, on the Indiana branch of the Pennsylvania railroad, to erect dams, and schutes to dams already erected, and bracket all dams that are now erected, or may hereafter be erected, in said stream, so as, however, no injury is done to the water power or the owners thereof, or to private property along said stream ; they shall also have the power, by brackets or otherwise, to control the waters in said stream for the purpose of navigation, doing no injury, however, to private rights in said streams, so as to float or drift saw-logs, squared timber and railroad ties on said stream, from any of the points aforesaid to the village of Homer, aforesaid.

President and managers may improve Two Lick creek.

SECTION 5. That the affairs of said company shall be managed and conducted by a board of five directors, one of whom shall be president, and they shall be elected by ballot immediately after the organization of the company hereby incorporated, and annually thereafter, at such times and places as the by-laws may prescribe ; and in all elections by the stockholders each share of stock shall entitle the holder to one vote.

Management.

Election of directors.

Votes.

SECTION 6. The said company shall have authority to enact and establish by-laws prescribing the number and duties of the officers, the manner of filling vacancies in the board of directors, to levy tolls not exceeding the rate of one cent per thousand feet, for timber, scale or board measure, for every five miles run on said stream, and not exceeding twenty-five cents for each cross-tie run down said stream, and to make and prescribe all other needful rules and regulations, not inconsistent with the constitution or laws of this state or of the United States.

By-laws.

Tolls.

Rules and regulations.

SECTION 7. That the tolls levied under this act shall be a lien upon the property upon which they are assessed or levied, into whosoever hands the same may come, and may be recovered, by action of debt or assumpsit, before any justice of the peace, either against the original owner, his agent or agents, or the person in whose possession the same shall be ; and judgment being so recovered, execution may be had of the property upon which said tolls have been assessed or are a lien, though the ownership in said property may have changed hands after the commencement of said suit.

Tolls to be lien on property.

How recoverable.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1377.

An Act

To incorporate the Pittsburg and Virginia Railroad Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,</i> That W. H. Brown, B. B. Coursin, Jas. G. Blaine, John Walker, William Manown, Brisben Wall, William Jones, W. J. Manown, L. C. Baldwin, N. Q. Speers, W. E. Frazer, Jr., J. S. Van Voorhis, Wm. Forsythe, Wm. R. Sweitzer, W. H. Hackney and J. S. Krepps, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Pittsburg and Virginia Railroad Company, with
Title. Construction of railroad authorized.	power to construct a railroad, with single or double track, from M'Keesport, in Allegheny county, along the east side of the Monongahela river, to the West Virginia state line, there
Right to make connections.	connect with any railroad authorized by the state of West Virginia, or under the authority of West Virginia, or Virginia,
Extension of road.	to extend its railroad to any point within the limits of said states, with the capital stock authorized by this act, with
Branches.	power to make such branches as the directors may deem
Right to cross at grade.	necessary; and the said company shall have authority to cross any railroad at grade with its main road or branches; and
Bridge over Youghiogheny river.	the said company shall also have authority to build a bridge over the Youghiogheny river, at or near M'Keesport, for the use of their road: <i>Provided</i> , Said bridge shall be so erected as to be, at the channel of said river, forty feet above the common high water mark, and the width of the arch or span over the channel not less than three hundred feet wide.
Capital stock.	SECTION 2. The capital stock of said company shall consist of one hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, with the privilege of increasing said capital stock from time to time, to such an amount as to the directors may seem needful to carry out fully the true intent of this act.
Directors authorized to borrow money and issue bonds.	SECTION 3. The directors of said company are authorized to borrow, from time to time, such sums of money as to them may seem necessary to provide for the construction and equipment of said railroad and branches, and to issue bonds therefor, at a rate of interest not exceeding eight per centum per annum, to be redeemed at such time and place as the directors may agree upon, and may secure the same by one or more mortgages from time to time, upon the whole or any part or parts of said railroad and its branches, and upon all or part of the estate, real and personal, acquired or to be acquired, thereto belonging, and upon all of the corporate franchises thereof, or such part as may be mortgaged; and any railroad company incorporated by the laws of this commonwealth, or by the states of West Virginia, Virginia or Maryland, shall
Other companies may subscribe to stock, &c.	

have authority to subscribe to the capital stock of said company, and to endorse or purchase the bonds thereof.

SECTION 4. The said railroad company shall be entitled to all the privileges conferred by, and be governed by all the restrictions contained in the act, entitled "An Act regulating railroad companies," approved nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, and shall be entitled to all the rights conferred by all the general laws of this commonwealth relating to railroad companies, so far as is not supplied or changed by the provisions of this act: *And provided*, That seven stockholders shall constitute the board of directors, to be elected annually, on the first Tuesday in January; and one of said directors shall be chosen president at the first meeting after each election.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1378.

An Act

To incorporate the St. Charles Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Charles Henry Jones, James M'Carty, Henry M. Keim and Harrison Maltzberger, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, with perpetual succession, by the name, style and title of the St. Charles Iron Company, with all the rights, powers and privileges and franchises incident to a corporation, with power to purchase, lease, hold, mortgage and sell real estate and mineral rights within this commonwealth, not exceeding at any one time ten thousand acres.

SECTION 2. That the business of said company shall be managed by a president and board of directors, who shall be elected by the stockholders from among their number, at such time and in such manner as the by-laws may prescribe, and shall continue in office until their successors shall be duly chosen; all elections by the stockholders shall be by ballot,

and every share of stock shall entitle the holder thereof to one vote, in person or by proxy.

Votes.
Capital stock.

SECTION 3. That the capital stock of said company shall consist of one thousand shares, of one hundred dollars each, with power to increase the same by vote of the stockholders to any amount not exceeding ten thousand shares; and shares of the capital stock may be transferred on the books of the company, subject to such regulations as the by-laws may prescribe.

Mining and
manufacturing
privileges.

SECTION 4. That said company shall have the right to prove and open mines, to mine and prepare for market iron ore and other minerals, or to use and consume the same, and to manufacture iron, and to transport all said articles or any of them to market, and dispose of the same, and to do all such other acts and things as may be necessary in the prosecution of said business, and also to make all such improvements and erections as a successful prosecution of said business may require.

May construct
a railroad.

SECTION 5. That said company may construct a tram-way or railroad, not exceeding ten miles in length, with requisite branches and sidings, from any part of their lands, to connect with any railroad now or hereafter to be built; and in the construction of said tram-way or railroad the said company shall enjoy all the rights, powers and privileges of an act regulating railroad companies, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, except so far as they are altered, amended and supplied by this act.

May issue and
dispose of bonds

SECTION 6. That the said company may make and issue bonds, with or without coupons attached, bearing interest not exceeding eight per centum per annum, and sell, exchange or otherwise dispose of the same, upon such terms and conditions as they may deem advisable; and such bonds, and the interest thereon, may be secured by a mortgage or mortgages upon the railroad, railroad equipments, corporate franchises, real, personal and leasehold estate, and all other property of every kind whatsoever, which may be acquired by the said company.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1379.

An Act

To incorporate the Cranberry Ferry and Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. B. Danils, Lucien H. Culver, James S. Austin, T. Humphrey, N. R. Bushnell, F. H. Roberts and B. F. Smiley, Commissioners. be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Cranberry Ferry and Bridge Company, Title. with the power to make good, sufficient and convenient landings and roads to the nearest public highways to said landings, Establishment of ferry authorized. on the east and west sides of the Allegheny river, at or near the lands of the Reno Company, in Sugar Creek township, in Venango county; thence across the said river into Cranberry township, and to use the said Allegheny river for a public ferry, and to have the exclusive right to use the said river for a ferry opposite the lands of the Reno Company, and for half a mile above and below the same.

SECTION 2. The said Cranberry Ferry and Bridge Company shall have the right to build a bridge across the Allegheny river, from any point on the lands of the Reno Company aforesaid, upon the west side of the river, to any point upon the opposite side of the river. May build bridge.

SECTION 3. That the said Cranberry Ferry and Bridge Company, when so organized as herein provided, shall, in the construction and maintaining of said ferry and bridge, be entitled to exercise all the privileges and powers, and be subject to the restrictions, so far as the same may be applicable, as provided by an act of assembly, entitled "An Act regulating bridge companies," passed the twelfth day of April, Anno Domini one thousand eight hundred and fifty-five, and the several supplements thereto. Privileges, powers, &c.

SECTION 4. That the stock of the said the Cranberry Ferry and Bridge Company shall consist of one hundred shares, of one hundred dollars each, with the right to increase the same from time to time as to the directors of the company may seem to be necessary. Stock.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1330.

An Act

To exempt the church property of the Saint John's and Trindle Spring Lutheran congregation, situated in Mechanicsburg, in the county of Cumberland, from county, bounty, borough and school taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the church property of the Saint John's and Trindle Spring Lutheran congregations, situated in Mechanicsburg, in the county of Cumberland, be and the same is hereby exempt from the payment of all county, bounty, borough and school taxes, from and after the passage of this act.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1331.

An Act

To incorporate the Harrisburg Printing Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Corporators.

That John H. Gibon, Benjamin Singerly, William W. Logan, H. Earnest Goodman, G. D. Carrow, and such other persons as they may associate with them, their successors and assigns, are hereby created a corporation, under the name, style and title of the Harrisburg Printing Association, with a capital of twenty-five thousand dollars, to be divided into five hundred shares, of the value of fifty dollars each, with the privilege of increasing the same to any amount not exceeding one hundred thousand dollars, by a vote of the stockholders, at an annual or special meeting to be convened by the president of the association for that purpose, who shall be elected by the majority of the stockholders, and with authority to have and

Title.

Capital.

Privileges.

use a common seal, the same to change at pleasure, and by the name, style and title aforesaid, shall be capable in law to sue and be sued in any court whatever, and may hold real and personal estate in fee or for any less estate; and the said association may make all needful rules, regulations and by-laws for the management of the business of the association.

SECTION 2. The affairs of said corporation shall be managed by a board of five directors, who shall choose one of their number president, another secretary, and another treasurer; and said directors shall be elected annually, at meetings of the stockholders called for the purpose; and at such elections each share of stock shall entitle the holder thereof to one vote, which may be cast either in person or by proxy.

Directors.

Election.

Votes.

SECTION 3. The first election for directors and officers of the said association shall be held on the first day of May, one thousand eight hundred and seventy, and the directors then chosen and officers appointed from their number, shall serve until their successors are chosen and qualified in accordance with the by-laws.

First election for directors.

SECTION 4. The business of the said association shall be confined to printing and publishing in all its branches, and the management of such real estate as may be purchased for the use of the association; and the said association shall have power to borrow money and to issue bonds therefor, to be secured by mortgage upon its real and personal estate and franchises, not to exceed in amount the capital stock of the corporation, and at a rate of interest not to exceed six per cent. per annum: *Provided*, That said bonds shall not be issued for a less sum than one hundred dollars each.

Business.

May borrow money and issue bonds.

SECTION 5. This corporation shall pay into the treasury of the commonwealth a bonus of one-fourth of one per centum on the paid up capital stock, and a like amount on that hereafter created, in two equal instalments, the first whereof shall be paid within one year from the date of the approval of this act, and in addition thereto shall pay such other taxes as are now or may hereafter be required by law.

Bonus and taxes

SECTION 6. The company to organize on the payment of one-fifth of the capital stock, and the corporation to exist for the term of twenty years and no longer.

When to organize. Limitation.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1382.

A Further Supplement

To an act incorporating the Bear Creek Railroad Company, approved the twentieth day of March, one thousand eight hundred and sixty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for said company to so extend their eastern terminus as to connect with the Allegheny Valley Railroad Company, and to so extend the western terminus as to connect with any other railroad; and that the proviso to the second section of said act is hereby repealed.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1383.

A Supplement

To the charter of the Bald Eagle Valley Harbor Company, a company incorporated by an act of assembly, approved the fourteenth day of April, Anno Domini one thousand eight hundred and sixty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall be required to tranship goods, wares, merchandise and other articles at uniform prices, not to exceed the following, to wit: Coal per ton, fifty cents; iron ore per ton, fifty cents; plaster per ton, fifty cents; iron per ton, fifty cents; goods in boxes per ton, thirty cents; flour per barrel, ten cents; beef and pork per ton, fifty cents; grain per bushel, five cents; lumber per thousand feet, seventy cents; shingles per thousand, five cents; lime per bushel, five cents; stone per perch, fifty cents.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1384.

An Act

To authorize the trustees of German Evangelical Lutheran church, and the trustees of the English Evangelical Lutheran church of Middle Lancaster, to sell real estate.

WHEREAS, The church and appurtenances above referred to are jointly owned by the German church and English church:
And whereas, They desire to sell the same:

And whereas, Neither society is incorporated, and there being no power to sell and convey; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Charles Keffer, John Sieg, trustees of the English Evangelical Lutheran church, and John Weberling and — Shilling, trustees of the German Evangelical Lutheran church, at Middle Lancaster, be and they are hereby authorized to sell the church edifice and all the real estate belonging thereto, situate in Lancaster township, Butler county, and to make, execute and deliver a deed in fee simple to the purchaser thereof, which deed shall vest in the purchaser an absolute and indefeasible title for the same; which deed shall be acknowledged in open court, before the judges of the court of common pleas of Butler county: *Provided,* That before said deed is acknowledged, the said trustees shall give bond to be approved by the said court, in a sum double the amount for which the same may be sold, conditioned as bonds of trustees are usually.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1385.

An Act

To incorporate the Jefferson County Lumber Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

- Corporators. That R. J. Nicholson, E. H. Darrah, Robt. Bell, W. R. Darrah, Nathan Carrier, Junior, E. G. Carrier, Schuyler Jackson, Calvin Rodgers, Jas. Neel, Henry Brown, J. E. Mitchell, R. R. Means, P. Taylor, J. W. Gillespie and R. Osborne, and their associates and successors, be and hereby are created a body politic and corporate, by the name of the Jefferson County Lumber Company, and by that name shall have perpetual succession, with all the rights, privileges and franchises of a corporation.
- Name.
- Powers and privileges. SECTION 2. This company shall have the power to purchase, own or contract for boards, square timber, logs, shingles and any and all kind of lumber, and to own and hold real and personal property sufficient to conduct the business of said company; they shall also have the power to receive and sell on commission any boards, square timber, logs, shingles and any and all kinds of lumber, and the power and authority to contract to run to market any boards, square timber, logs, shingles, and any and all kinds of lumber, and do, perform and exercise all the powers and privileges, rights and incidents which in any wise have been vested in a corporate body, to make, adopt and use a corporate seal, and to make such by-laws and regulations as shall be requisite for the faithfully carrying out its object and intentions.
- Capital stock. SECTION 3. The capital stock of said company shall consist of five hundred shares of stock, of the value of one hundred dollars each, being fifty thousand dollars, with the privilege to increase the same, by a majority of the stockholders, at any annual or special meeting, to such amount as they may from time to time deem needful; and the corporators, or a majority of them, named in the first section of this act, shall have power to open books for subscriptions at such times and places as they may deem expedient; and when not less than one hundred and fifty shares shall have been subscribed, and twenty per centum thereon shall have been paid in, the shareholders may elect not less than seven or more than eleven directors, to serve until the next annual election, or until their successors shall have been duly elected and qualified; and the directors, so elected, of said company, when it shall be organized, may and they are hereby authorized and empowered to have and exercise, in the name and behalf of the company, all the rights and privileges which are intended to be hereby given.
- Subscriptions.
- Election of directors.
- Office. SECTION 4. The principal office of the said company shall be in the borough of Brookville, Jefferson county, Pennsylvania; and the directors, under such rules and regulations as they may prescribe, may establish branches or agencies in other parts of the state.
- Officers and agents. SECTION 5. The directors shall have power to appoint all necessary officers and agents for the transaction of the business of the company.
- Annual election of directors. SECTION 6. The election for directors shall take place on the first Monday of June annually, and three weeks' notice thereof shall be given in the newspapers of the county: *Provided*, That said corporation shall pay into the treasury of

the commonwealth such bonus and taxes as are now or may hereafter be required by law. Bonus and tax.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The sixteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1386.

An Act

To incorporate the Indiana Gas Light Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same;* That Daniel S. Porter, A. T. Moorhead, A. C. Boyle, James Sutton, A. W. Taylor, John Sutton, Wm. M. Stewart, H. W. Weim, Samuel M'Cartney, Geo. S. Christy, James P. Corter, A. M. Stewart, Silas M. Clark, Harry White, E. P. Hildebrand, and their associates, or persons who shall become stockholders, be and the same are hereby made and constituted a body politic and corporate, by the name and style of the Indiana Gas Company, and by the said name they and their successors shall and may have perpetual succession, and shall be, in law, capable of suing and being sued, pleading and being impleaded, in all courts of law or equity within this commonwealth and elsewhere, and also of contracting and being contracted with relative to the business and objects of the corporation as hereinafter declared; and they and their successors, as aforesaid, shall have power to lease or purchase, in fee simple, such real estate as may be necessary for carrying on the business of said corporation. Corporators.
Name.
Powers and privileges.

SECTION 2. That the corporation hereby created is so created for the purpose, and for such purpose shall have authority of supplying with gas light the borough of Indiana, in the county of Indiana, and such individuals residing therein and immediate vicinity, as may desire a supply of the same, and for distributing and selling gas for the production of artificial light, and for making and erecting the necessary apparatus for manufacturing and introducing the same, and constructing the requisite buildings and machinery, and purchasing and preparing the necessary materials, with the right to enter upon any of the public streets, lanes, alleys and side-walks in the borough of Indiana and vicinity, for the purpose of laying Purpose.
May enter upon streets, enclosures, &c., to dig trenches and lay pipes.

- Damages. pipes for the distribution of gas, as the company may deem necessary, and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them, for the same purpose, doing as little damage as possible to private property, and paying for whatever injury may be done by them, and if the parties cannot agree on the amount of damages, the same shall be assessed by three disinterested men, on oath, to be appointed by the court of common pleas of Indiana county, on the application of either party; and the said company shall have the like privileges as to re-laying or taking up or repairing the said pipes, as often as the same may be necessary: *Provided*, That the said company shall fill up said trenches and restore the said streets, lanes, alleys and side-walks, and the private property, as aforesaid, as near as may be to the same condition as they were respectively in before the said trenches were dug, at the proper cost and expense of the said company.
- Proviso.
- Capital stock. SECTION 3. That the capital stock of said company shall be fifty thousand dollars, to be divided into ten thousand shares, of fifty dollars each, with the right to increase the said capital stock from time to time, as the board of directors of said company shall deem necessary: *Provided*, That the whole capital stock shall not at any time exceed seventy-five thousand dollars.
- Managers may borrow money and give security. SECTION 4. That the managers of this company are hereby authorized and empowered, should the same be deemed necessary, to borrow any sum or sums of money in their corporate capacity, not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their work, and to secure the payment of the same, shall make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, or give such other evidences of indebtedness as may be agreed upon; and the said managers shall provide for the payment of the interest upon any loan made under this section, out of the receipts for gas, before any dividends shall be paid to the stockholders: *Provided*, That no bond, certificate or other evidence of indebtedness shall be issued by said company for a less sum than one hundred dollars.
- Management. SECTION 5. That the management and control of the Indiana Gas Company shall be vested in the persons named in the first section of this act, until the period herein fixed for the regular election of directors of said company, who shall choose from their number a president, treasurer and secretary, who shall meet from time to time, and at such places within said borough as a majority of them may deem necessary, for the purpose of receiving subscriptions to the capital stock of said company; and that the stockholders of said company shall meet annually, on the first Monday in May, at such place as they shall determine upon, and elect seven directors for said company, all of whom shall be stockholders, who shall select from their numbers as aforesaid, a president, secretary and treasurer, for said company; the notice of such elections for directors as aforesaid, and the manner of conducting the same, to be provided for in the by-laws of said company; and the
- 1
Election of directors.

number of votes that each stockholder shall be entitled to at such election, shall be according to the number of shares owned by such stockholder, to wit: For each share, not exceeding two shares, one vote; for every two shares above two, and not exceeding ten shares, one vote; for every five shares above ten shares, one vote; and no share shall confer a right of voting which shall not have been holden one calendar month prior to the day of election, nor unless it be holden by the person in whose name it appears, absolutely and *bona fide* in his or her own right, or in the right of his wife, or for his or her sole use and benefit, as an executor, administrator, trustee or guardian, or in the right and for the use of some co-partnership, corporation or society, of which he or she may be a member.

Votes.

SECTION 6. That the said company shall procure certificates or evidences of stock for all the shares of said company, and shall deliver one such certificate, signed by the president and countersigned by the secretary, and sealed with the common seal of said corporation, to each person for such share or shares of stock as are by him or her respectively owned, which certificates of stock shall be transferable at his or her pleasure, in person or by attorney, duly authorized, in the presence of the president or secretary, in a book to be kept by the corporation for that purpose.

Certificates of stock.

SECTION 7. That the board of directors of said company shall meet at such times and places as shall be provided in the by-laws of said company, five of whom shall be a quorum, who in the absence of the president may choose a chairman, and shall keep minutes of their transactions fairly entered in a book, and a quorum being formed, they shall have full power and authority to purchase lands for the gas works, and erect the same, to appoint all officers, and employ such assistants as shall be necessary to carry out the objects of this corporation, to direct what orders shall be drawn upon the treasurer, which shall be signed by the president and countersigned by the secretary, to fix all salaries and rates for the use of the gas, to enact by-laws for the proper regulation and government of said corporation, and generally to do all such matters, acts and things, as by this act, and the by-laws of such corporation, they are authorized to do.

Meetings of directors.

Quorum.

To keep minutes of proceedings.

Their powers and authority.

SECTION 8. That the board of directors of said company shall declare dividends of so much of the net profits of the company, as shall appear to them advisable, on the first Mondays of June and December, of each year, which shall be paid to the stockholders on demand, ten days after the same shall have been declared.

Dividends.

SECTION 9. That if any person or persons shall open a communication into the gas main or other gas pipe of said company, without authority from the street inspector or other authorized agent of said company, or shall let on the gas after it has been stopped by order of said inspector or authorized agent of said company, for repairs or any other cause or purpose, or shall put up any pipes or burners in addition to the pipes originally put up and inspected, and introduce into them gas without authority aforesaid, he, she

Penalty for opening communication with pipes, letting on gas, &c., without authority.

or they shall be subject to a penalty of less than five nor more than fifty dollars, to be recoverable before any justice of the peace as debts of like amount are by law recoverable, one-half to be paid to the informer, and the other half to said company.

Penalty for injuring works, &c.

SECTION 10. That if any person shall wilfully or maliciously do or cause to be done any act or acts whatever, whereby any building, construction or works of said company, or any gas pipe, gas post, burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be considered guilty of a misdemeanor, and may be therefor indicted in the court of quarter sessions, and on conviction thereof shall be punished by fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided*, That such criminal prosecution shall not in any way impair the right of said company to a full compensation in damages by civil suit.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1387.

An Act

To incorporate Trustees of the Lebanon Classis of the Reformed church in the United States.

Preamble.

WHEREAS, The ministers and elders forming the Lebanon Classis of the Reformed church in the United States, consisting of citizens of the state of Pennsylvania, have represented that by donations, bequests or otherwise, of charitably disposed persons, they are possessed of moneys for benevolent and pious purposes, and the said ministers and elders have reason to expect further donations for similar uses, but from the scattered situation of the said ministers and elders, and other causes, the said ministers and elders find it difficult to manage the said funds in the best way calculated to answer the intention of the donors; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Rev. William M. Riley, Rev. Franklin W. Kremer, Rev.

Cooperators.

A. S. Leinbach, F. W. Hoffman, M. D., and Joseph Koblentz, M. D., and their successors, duly elected and appointed in manner as is hereafter directed, be and they are hereby made, declared and constituted a corporation and body politic and corporate, to have continuance forever, by the name, style and title of Trustees of Lebanon Classis of the Reformed church in the United States, and by the name, style and title aforesaid, shall forever hereafter be persons able and capable in law, as well to take, receive and hold all and all manner of lands, tenements, rents, annuities, franchises and other hereditaments which at any time or times heretofore have been granted, bargained, sold, enfeoffed, released, bequeathed, devised, or otherwise conveyed to or acquired by the said ministers and elders of the Lebanon Classis of the Reformed church in the United States, or any other person or persons to their use or in trust for them, and the same lands, tenements, rents, annuities, liberty, franchises, and other hereditaments, including personal property, are hereby vested and established in the said corporation, and their successors, forever, according to the original use and intent for which such devises, bequests, gifts and grants were respectively made; and the said corporation, and their successors, are hereby declared to be seized and possessed of such estate and estates therein, as in and by the respective grants, bargains, sales, enfeoffments, release, bequests, devises, and other conveyance thereof, is or are declared, limited or expressed; also, that the said corporation, and their successors, at all times hereafter, shall be capable and able to purchase, have, receive, take, hold and enjoy, in fee simple or of lesser estate or estates, any lands, tenements, rents, annuities, franchises, and other hereditaments, by the gift, grant, bargain, sale, alienation, enfeoffment, release, confirmation or devise, of any person or persons, bodies politic and corporate, capable and able to make the same; and further, that the said ministers and elders, under the corporate name aforesaid, and their successors, make, take and receive any sum or sums of money, and any portion of goods and chattels that have been given to the said ministers and elders, or that shall hereafter be given, sold, leased, devised or bequeathed to the said corporation by any person or persons, bodies politic or corporate, that is able or capable to make a gift, sale, bequest or other disposal of the same; such money, goods or chattels to be laid out and disposed of for the use and benefit of the aforesaid, agreeably to the intention of the donors, and according to the objects, articles and conditions of this act.

SECTION 2. That no misnomer of the said corporation and their successors shall defeat or annul any gift, grant, devise, bequest to or from the said corporation: *Provided*, The intent of the party or parties shall sufficiently appear upon the face of the gift, will, grant or other writing, whereby any estate or interest was intended to pass to or from the said corporation.

SECTION 3. That the said corporation and their successors shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall

see fit and proper, and the same to break, alter and renew at their pleasure.

May sue, &c.

SECTION 4. That the said corporation and their successors, by the name, style and title aforesaid, shall be able and capable in law to sue and be sued, plead and be impleaded, in any court or before any judge or justice, in all and all manner of suits, complaints, pleas, matters and demands of whatsoever nature, kind and form they may be, and all and every matter and thing to do in as full and effectual a manner as any other person or persons, bodies politic and corporate, within this commonwealth, may or can do.

By-laws and ordinances.

SECTION 5. That the said corporation and their successors shall be and hereby are authorized and empowered to make, ordain and establish by-laws and ordinances, and do everything incident and needful for the support and due government of the said corporation, and managing the funds and revenues thereof: *Provided*, The said by-laws be not repugnant to the constitution and laws of the United States, to the constitution and laws of this commonwealth, to this act, or the constitution, laws and regulations of the Synod of the Reformed church of the United States.

Membership, relative to.

SECTION 6. That the said corporation shall consist of five persons, neither more nor less, who shall be members of the Reformed church, and continue to be members of the said corporation for the term of five years; each term of office to end always on the first day of July; and the said Lebanon Classis of the Reformed church shall annually change one-fifth of the said board or corporation, in such manner as to the said classis shall seem proper; but the same person may not be re-elected until after he shall have ceased to be a member of said board or corporation for at least one year: *Provided however*, That the aforesaid trustees, to wit: Reverend William M. Riley, Reverend Franklin W. Cremer, Reverend Aaron S. Leinbach, F. W. Hoffman, M. D., Joseph Coblentz, M. D., shall continue in office as follows: One of them until the first day of July, in the year of our Lord one thousand eight hundred and seventy; one until the first day of July, one thousand eight hundred and seventy-one; one until the first day of July, one thousand eight hundred and seventy-two; one until the first day of July, one thousand eight hundred and seventy-three, and one until the first day of July, one thousand eight hundred and seventy-four; these different terms of office to be distributed, by lot or otherwise, by the said corporation, among themselves, at their first meeting; and further, if the place of any member of the said corporation be made vacant, by death, resignation or otherwise, it shall be the duty of the remaining members of the said corporation, at the first meeting held at which such vacancy shall become known, to elect and appoint a person who is a member of the Reformed church, within the bounds of the Lebanon Classis, to the office of trustee, or a member of the said corporation, who shall, however, hold office for the unexpired term of the member creating such vacancy; and the person thus elected by the said corporation shall not be re-eligible by the classis aforesaid until after he has ceased to be a trus-

tee for the period of at least one year; and further, if the classis aforesaid fail during any year to change one-fifth of the members of this board or corporation, then the vacancy occurring on the first day of July, according to the provisions and restrictions of this act, shall be filled by the said corporation; and the person thus elected and appointed shall be a member of the said corporation the term of five years.

SECTION 7. That the corporation aforesaid shall have power and authority to manage and dispose of all moneys, goods, chattels, lands and tenements, and hereditaments and other estate whatsoever, committed to their care and trust by the said Lebanon Classis of the Reformed church; but in case where special instructions for the management and disposal thereof shall be given by the said classis in writing, under the hand of their clerk, it shall be the duty of the said corporation to act according to such instructions: *Provided*, The said instructions shall not be repugnant to the constitution and laws of the United States, or the constitution and laws of this commonwealth, or to the provisions and restrictions in this act contained.

Authorized to manage and dispose of property committed to their care.

Special instructions.

SECTION 8. That the said corporation shall and may have a president, a vice president, (who shall also be the secretary or clerk,) and a treasurer; the president and vice president to be chosen by the said corporation out of their own number, as often as they shall see proper, and according to the rules by them to be prescribed; but the treasurer to be elected annually by the said classis from among the members of the said corporation, in such manner as to said classis seem proper, and the same person shall be re-eligible to the office of treasurer, by the said classis, from year to year, so long as he continues to be a member of said corporation; and the said corporation shall have authority to appoint such other officers and servants as shall by them, the said corporation, be deemed necessary; to all of which officers the said corporation may assign such a compensation for their services, and such duties to be performed by them, to continue in office for such time, and to be succeeded by others in such way, treasurer being excepted conformably to the provisions of this act, as the said corporation shall direct.

Officers.

SECTION 9. That three members of this board or corporation, whereof the president or in his absence the vice president, shall be a sufficient number to transact the business thereof, and to make by-laws, rules and regulations: *Provided*, That previous to any meeting of the board or corporation for such purposes, not appointed by adjournment, ten days' notice shall be previously given thereof, by a circular sent by mail or otherwise, to each member of the corporation.

Quorum.

Notice of special meetings to be given.

SECTION 10. That the said corporation shall keep regular and fair entries of their proceedings, and a just account of their receipts and disbursements in a book or books to be provided for that purpose, and their treasurer shall once in every year exhibit to the classis aforesaid an exact state of the accounts of the corporation.

Minutes of proceedings and account of receipts, &c., to be kept.

SECTION 11. That the said corporation may take, receive,

May possess
property not ex-
ceeding \$10,000.

purchase, possess and enjoy messuages, houses, lands, tenements, rents, annuities and other hereditaments, real and personal estate of any amount not exceeding ten thousand dollars; but the said limitations not to be considered as including the annual collections and voluntary contributions made in the churches under the care of the said Lebanon Classis of the Reformed church in the United States.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1388.

An Act

To incorporate the Spruce Camp Run Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William P. Mitchell, Joseph Devling, R. H. Foster, H. G. Royer and John W. Furey, and such as may associate with them, by subscribing to the capital stock hereinafter named, and their successors and assigns, be and they are hereby created a body corporate and politic, in deed and in law, by the name, style and title of the Spruce Camp Run Improvement Company, and by that name shall have perpetual succession, shall be able in law to sue and be sued, may have a common seal, shall be competent to make by-laws and regulations for the government of the affairs of the corporation, and generally shall have power to do and perform all those acts that are usual, necessary and proper to the efficient management and well being of the corporation hereby created.

SECTION 2. Power and authority are hereby given said corporation to clear out, improve and use a stream, known in the original survey or drafts of the land through which it passes, by the name of Spruce Camp run, in Burnside township, Centre county, a tributary of the Susquehanna river, for the whole length, from the sources thereof to the mouth of said stream; and the said corporation may erect dams therein, in such manner and at such points as they may deem proper, and shall and may use all of said dams and the waters of said stream in the floating of timber, saw-logs and lumber

Corporators.

Title.

Powers and
privileges.

Authorized to
improve and use
Spruce Camp
run.

down the same, and shall generally have the right to straighten, deepen, crib and widen the channel of the stream aforesaid, in such manner as they may see fit, for the purposes aforesaid: *Provided*, That no unnecessary injury shall be thereby done to private property outside of the limits of the stream aforesaid. Proviso.

SECTION 3. That the capital stock of the said corporation shall be ten thousand dollars, and shall be divided into five hundred shares, of twenty dollars each; and the persons named in the first section of this act, or a majority of them, shall, after giving one week's notice in writing to the incorporators named in this bill, organize the said corporation, by opening books for the receiving of subscriptions, at the Bush house, in the borough of Bellefonte, and state of Pennsylvania, on the third Monday of April next, and then and there, after a majority of the stock shall have been subscribed, the stockholders shall proceed to elect a board of five directors to manage the affairs of the company, one of whom shall be the president of company; the election of directors shall be held annually, at the same place, on the third Monday of April, and each share of stock shall be entitled to one vote in said election; and if from any cause the annual election shall not be held on said day, the directors then in office shall remain such until their successors be elected and qualified. Capital stock.
Organization.
Election of directors.
Failure to hold election on day appointed.

SECTION 4. That the several provisions of the seventh, eighth, ninth, eleventh and twelfth sections of the act of assembly, entitled "An Act to incorporate the Anderson Creek Public Road and Navigation Company," approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-nine, be and they are hereby made applicable to the stream hereinbefore named, and to the company hereby created, except that the tolls chargeable shall be one dollar per thousand feet, board measure, for all distances floated in said stream; and all tolls for the use of the navigation shall be payable, if not demanded in advance, to the treasurer of the company within ten days after the lumber shall have been started in said stream, and on failure to make such payment, the party in default shall pay the tolls with fifty per centum added thereto, and the logs so floated shall be subject to a specific lien for said tolls, which lien shall not be divested by their manufacture into boards, or by any sale thereof other than a judicial sale; and said lien may be enforced either by retention or possession or replevin of the logs or boards made therefrom, whenever and wherever they may be found. Certain provisions made applicable to.
Tolls.

SECTION 5. That the several provisions of the fourth and sixth sections of the act of assembly, entitled "An Act to incorporate the Eddy Run Improvement Company," approved the thirteenth day of April, Anno Domini one thousand eight hundred and sixty-eight, be and they are hereby made applicable to the stream hereinbefore named, and to the company hereby created. Additional provisions made applicable to.

SECTION 6. That said company shall file a bond, in court of common pleas of Centre county, in the sum of five thousand dollars, with two sureties, to be approved by the said court, conditioned to indemnify all property holders on said stream To file bond to indemnify property holders.

for any damages to their lands by reason of said improvement.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1389.

An Act

To exempt Milton town hall and market house, in the borough of Milton, county of Northumberland, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the real estate of the Milton Town Hall and Market House Company, situate on the east side of Water street, in the borough of Milton, Northumberland county, the same being lot number ninety-one, in the general plan of said borough, be and the same is hereby exempt from taxation, except for state purposes, so long as the same is used for a town hall and market house.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1390.

An Act

To incorporate the Penn Treaty Association of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That all and every the persons who shall at the time of the passing of this act be members of the association, called the Penn Treaty Association, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Penn Treaty Association, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels of what nature, kind and quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of: *Provided*, That clear yearly value or income of the necessary houses, lands and tenements, rents, annuities or other hereditaments and real estate of the said corporation, and the interest of money by it lent, shall not exceed the sum of five thousand dollars, (\$5,000,) and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, and the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof.

Incorporation.

Title.

Powers and privileges.

SECTION 2. That the said corporation shall be authorized to borrow any sum of money, not exceeding twenty-five thousand dollars, (\$25,000,) and issue certificates of twenty-five dollars (\$25) each therefor.

May borrow money.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1391.

A Supplement

To an act, entitled "An Act to incorporate the Protection Fire Insurance Company, to be located in the city of Philadelphia," approved the thirteenth day of April, one thousand eight hundred and fifty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That in addition to the names already named in said act to which this is a supplement, that J. Leslie Anderson, John C. M'Fetridge, John Gallagher, J. M. Harding, J. M. Rodgers, and their associates, assigns and successors, shall be made commissioners, named in said act, be formed and made a body politic and corporate, in law and in fact; and they shall have the right to increase said capital stock at any time, by increasing the value of each share to two hundred dollars, which shall be due and paid in such manner as the by-laws of said company shall determine; and the company shall have the right to change its name at any time: *Provided*, The assent of two-thirds of the stockholders in interest shall be first obtained, and they shall so certify in writing, under oath of the officers of said company, to the secretary of the commonwealth, who shall file the same in his office; and the number of its directors may be increased by its stockholders to any number not exceeding thirty.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1392.

A Supplement

To an act, entitled "An Act to incorporate the Moyamensing Fire Insurance Company, to be located in the city of Philadelphia," approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-nine, authorizing an increase of capital stock, and change of name and increase in number of directors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the parties named in said act to which this is a supplement, that William Hayes, J. C. Sturdivant, J. M. Rogers, R. S. League and H. B. Dick, be associated with them as commissioners, who, together, jointly, their associates, successors or assigns, or a majority of them, shall be formed and made a body politic and corporate, in law and in fact, with perpetual succession, as if incorporated in said act to which this is a supplement.

SECTION 2. That said corporation shall have the right to increase its capital stock at such time as the stockholders, or

Additional
commissioners
appointed.

Authorized to
increase capital
stock

a majority of two-thirds of them, shall determine, in such manner that the par value of each share shall not exceed two hundred dollars.

SECTION 3. That the directors of said company shall have the right to change the name of said company at any time, provided the assent, in writing, of two-thirds of the stockholders shall be first obtained; and said fact shall be so certified, under oath by the officers of said company, to the secretary of the commonwealth, who shall place the same on file in his office. Directors may change name.

SECTION 4. That the number of the directors may be increased, by a vote of two-thirds of the stockholders in interest, to any number not exceeding thirty. Number of directors may be increased.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1393.

In Act

To incorporate the Orion Club of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hamilton Disston, Jesse W. Neal, Thomas R. Reed, Albert H. Disston, Joseph H. Winters, Herman A. Steck, Henry M. Weyl, Jacob Wildemore, Edward Fling, Edmund Steck, George W. Cottman, Charles Giberson, William E. Wise, Jacob K. Stearn, Jr., James C. Paxter, Jr., Augustus C. Feigley, Charles Shreeve, Daniel Hannis, James F. Hefley, Robert J. Cornwell, William H. Wright, Thomas S. Disston, William H. Samuel and William Allmendinger, members of the association called the Orion Club, and those who may hereafter be associated with them, shall be and they are hereby created and declared to be one body politic and corporate, by the name, style and title of the Orion Club, and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements, rents, annuities, franchises and hereditaments, goods and chattels of what nature, kind and quality soever, real, personal or mixed, or choses in action, and the same from time to time to sell, grant, devise, alien or dispose of: *Provided*, That the Title.
Powers and privileges.

clear yearly value or income of the necessary houses, lands and tenements, rents, annuities or other hereditaments and real estate of the said corporation, and the interest of money by it lent, shall not exceed the sum of three thousand (\$3,000) dollars, and also to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter and the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof.

May borrow money and issue certificates therefor.

SECTION 2. That the said corporation shall be authorized to borrow any sum of money not exceeding twenty-five thousand (\$25,000) dollars, and issue certificates of fifty (\$50) dollars each therefor.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1394.

An Act

To incorporate the Bank of America, to be located at Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Constant Pequynot, John H. Schwaabe, George W. Hutchinson, H. B. Bruner, Lionel J. D'Epinenl, W. G. M'Alister, J. M. Harding, and their associates, assigns and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Bank of America, to be located in the city of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, may renew or alter the same, also may have the right to own and hold any real estate and improve or dispose of the same at pleasure.

Corporators.

Name.

Powers and privileges.

Capital stock.

SECTION 2. The capital stock of the said bank shall consist of five thousand shares of the value of one hundred dollars each, with the privilege of increasing the same, by a vote of

the directors, to twenty thousand shares of like value per share, and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient, and when one thousand shares or more of said stock shall have been subscribed, and ten per centum thereon of the same paid in, the shareholders may elect a president and four directors, to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from the death, resignation or inability to serve to be filled by the board.

Subscriptions
to stock.

Election of
president and
directors.

Vacancies.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note, or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust or as collateral security for loans, or advances or discounts, estate, real, personal or mixed, including the notes, bonds, obligations or accounts of the United States, states, individuals or corporations, and to purchase, collect and adjust the same, and dispose thereof for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such periods and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Banking privi-
leges.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or United States, and shall have power to require payments of any amount remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty in case of non-payment, as required, of forfeiture to the bank of such stock and all previous payments thereon.

By-laws.

Payments of
amounts re-
maining unpaid
on stock.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and the borrowers.

Further bank-
ing privileges.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city governments, and counties and districts, in the management of their

May become
financial agent
of charitable
institutions, &c.

business, and shall give security to such institutions, states and governments, for the faithful performance of the duties if required.

Dividends.

SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank to the stockholders, at such times and in such amounts as to them may seem proper.

Annual election for president and directors.

SECTION 9. The annual election for president and directors shall be on the first Monday of May of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice, by publication in one or more of the city papers, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Officers and agents.

Votes.

Notice of elections.

Bonus and taxes

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Personal liability of stockholders.

Limitation.

Increase of number of directors.

SECTION 11. That the stockholders shall be personally liable to an amount equal to the capital stock in addition thereto; and this charter shall continue for twenty years; that it may be lawful for said stockholders, at any meeting specially called for the purpose, to increase the number of the board of directors, not exceeding fifteen in number: *Provided*, The assent of two-thirds of the stockholders may assent thereto by a vote, and that each stockholder shall be personally, or by letter, notified of such intention at such meeting within five days of its taking place.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1395.

An Act

To incorporate the Market Bank, to be located in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That John M. Rogers, F. M. Pirsson, W. D. Henner, Robert Laughlin, W. Anderson, William Hayes, John Gallagher, and their associates, assigns and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Market Bank, to be located in the city of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded, in any court whatsoever; may have a common seal, may renew or alter the same, also may have the right to own and hold real estate and improve or dispose of the same at pleasure.

Corporators.

Name.

Powers and privileges.

SECTION 2. The capital stock of said bank shall consist of one thousand shares, of the value of one hundred dollars each, with the privilege of increasing the same, by a vote of the directors, to five thousand shares, of like value per share, and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided*, That if such shares of new stock are not taken by the stockholders, within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Capital stock.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock, at such times and places as they may deem expedient; and when one thousand shares or more of said stock shall have been subscribed, and ten per centum thereon of the same paid in, the shareholders may elect a president and twelve directors, to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve, to be filled by the board.

Subscriptions to stock.

Election of president and directors.

Vacancies.

SECTION 4. The said bank shall have power, and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note, or other negotiable paper, and the interest may be received in advance, and shall have the right to hold in trust, or as collateral security for loans or advances or discounts, estates, real, personal or mixed, including the notes, bonds, obligations, or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof, for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

Banking privileges.

SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or United States, and shall have power to require payments of any amount remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

By-laws.

Payment of amounts remaining unpaid on stock.

Further bank-
ing privileges.

SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and the borrowers.

May act as trea-
surer of chari-
table institu-
tions, &c.

SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania, and other states, of city government, and counties and districts, in the management of their business, and shall give security to such institutions, states and governments, for the faithful performance of the duties if required.

Dividends.

SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank, to the stockholders, at such times and in such amounts as to them may seem proper.

Annual election
for president
and directors.

SECTION 9. The annual election for president and directors shall be on the second Tuesday of January of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated within six months of, and five days prior to the election for which such proxy was given; five days' notice, by publication in one or more of the city papers, shall be given of the time and place where such election will be held, and said election shall be conducted according to the by-laws.

Officers and
agents.

Votes.

Notice of elec-
tions.

Bonus and taxes

SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

Personal lia-
bility of stock-
holders.
Limitation.

SECTION 11. That the stockholders shall be personally liable to an amount equal to the capital stock in addition thereto; and this charter shall continue for twenty years.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1396.

An Act

To incorporate the Butchers' and Drovers' Bank, to be located at Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel Yerkes, Stephen A. Winslow; William M. Taylor, James Gregory, R. S. League, J. M. Harding, George W. Hutchinson, George W. Painter, Robert Loughlin, Peter A. Widener, J. M. Rogers, their assigns, associates and successors, shall be and they are hereby created a body politic and corporate, by the name and style of the Butchers' and Drovers' Bank, to be located in the city of Philadelphia, and by that name shall have perpetual succession, and may sue and be sued, plead and be impleaded in any court whatsoever, may have a common seal, may renew or alter the same; also, may have the right to own and hold real estate, and improve or dispose of the same at pleasure.

Corporators.

Name.

Powers and privileges.

SECTION 2. The capital stock of said bank shall consist of twenty-five hundred shares, of the value of one hundred dollars each, with the privilege of increasing the same, by a vote of the directors, of ten thousand shares of like value par share, and when the capital stock is so increased, the stockholders shall have the right to take the shares authorized by such increase, at such price as the board of directors may name: *Provided,* That if such shares of new stock are not taken by the stockholders within ten days after receiving notice of such increase, then the board of directors may dispose of such shares of such stock in such manner as they may deem best.

Capital stock.

SECTION 3. The corporators, or a majority of them, shall have power to open books for subscription to the capital stock at such times and places as they may deem expedient, and when one thousand shares or more of said stock shall have been subscribed, and ten per centum thereon of the same paid in, the shareholders may elect a president and five directors to serve until the next annual election, or until their successors shall have been duly elected and qualified; vacancies arising from death, resignation or inability to serve, to be filled by the board.

Subscriptions to stock.

Election of president and directors.

Vacancies.

SECTION 4. The said bank shall have power and may borrow or lend money for such periods as the said bank may think proper, may discount any bill of exchange, foreign or domestic, promissory note or other negotiable paper, and the interest may be received in advance, and shall have the right to hold, in trust, or as collateral security for loans, or advances or discounts, estate, real, personal or mixed, including the notes, bonds,

Banking privileges.

obligations or accounts of the United States, individuals or corporations, and to purchase, collect and adjust the same, and to dispose thereof, for the benefit of the said bank, or for the payment of the debts as security for which the same may be held, in any market of the world, without proceedings in law or equity, and for such price and such terms as may be agreed upon by the said corporation and the parties contracting therewith.

By-laws. SECTION 5. The board of directors shall make all by-laws necessary for properly conducting the business of the bank, not inconsistent with the laws of the state or United States; and shall have power to require payments of any amount remaining unpaid on the stock of said bank, at such times and in such proportions as they think proper, and after thirty days' notice, under penalty, in case of non-payment as required, of forfeiture to the bank of such stock and all previous payments thereon.

Payment of amounts remaining unpaid on stock.

Further banking privileges. SECTION 6. The said bank may receive money to keep for its depositors, either with or without interest payable thereon, and may buy or sell bullion, buy, sell, draw or negotiate bills of exchange, bills of lading, stocks and bonds of all companies, states and of the United States, or other good and sufficient securities, at such rates of interest as may be agreed upon by said bank and the borrowers.

May become financial agent of charitable institutions, &c. SECTION 7. That it shall be lawful for said bank to transact financial business as a natural person, and as such to become and act as a treasurer and financial agent of charitable and religious institutions and corporations, and as financial agent of the state of Pennsylvania and other states, of city governments, and counties and districts, in the management of their business, and shall give security to such institutions, states and governments, for the faithful performance of the duties if required.

Dividends. SECTION 8. The board of directors shall have power to declare and pay dividends out of the earnings of the bank, to the stockholders, at such times and in such amounts as to them may seem proper.

Annual election for president and directors. SECTION 9. The annual election for president and directors shall be on the first Monday of June of each year, unless changed by the by-laws of the bank; the directors shall have power to elect all officers or agents as they may deem necessary for conducting the business of the bank, except president; stockholders shall be entitled to one vote for each share of stock, and may vote in person or by a written proxy, but said proxy must be dated within six months of and five days prior to the election for which such proxy was given; five days' notice, by publication in one or more of the city papers, shall be given of the time and place where such election shall be held, and said election shall be conducted according to the by-laws.

Votes.

Notice of elections.

Bonus and taxes SECTION 10. That the said corporation shall pay into the treasury of the commonwealth such bonus and taxes as are now or may hereafter be required by law.

SECTION 11. That the stockholders shall be personally liable

to an amount equal to the capital stock, in addition thereto; and this charter shall continue for twenty years. Personal liability of stock-holders.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1397.

An Act

Authorizing the governor to incorporate a company to erect a bridge over the Susquehanna river, at or near M'Call's Ferry, in the county Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That for the purpose of erecting a bridge over the Susquehanna river, at or near M'Call's Ferry, Samuel Dougherty, James Boyd, John Gohn, Robert Smith, David Wilson, Michael Donehoe, L. W. Finley, Robert D. Irvin, William C. Colvin, Hugh W. M'Call, George Steinman, John Black, Charles F. Hager, Dr. B. F. Sides, Philip W. Housekeeper, Franklin Groff, Henry Harberger, or a majority of them, be and the same are hereby appointed commissioners, to do and perform the several duties hereinafter mentioned; that is to say, they shall, on or before the first Monday of May next, procure a book or books, and enter therein as follows: "We, whose names are hereunto subscribed, do promise to pay to the president, managers and company to erect a bridge over the Susquehanna river, at or near M'Call's Ferry, in the county of Lancaster, for the use of said company, the sum of forty dollars for each share of stock set opposite our names respectively, in such manner and proportions, and at such times and places as shall be determined by the president and managers, in pursuance of an act of the general assembly of this commonwealth, entitled 'An Act authorizing the governor to incorporate a company to erect a bridge over the Susquehanna river, at or near M'Call's Ferry, in the county of Lancaster.' Witness our hands this — day of —, one thousand eight hundred and seventy;" and shall thereupon give notice in two newspapers, one in Lancaster county and one in York county, for three weeks at least, of the time and place when and where such book or books shall be opened to

Commissioners.

Duties.

Form of subscriptions.

Notice.

Subscriptions. receive subscriptions for the stock of said company; at which time and places some one or more of the said commissioners shall attend, and shall keep open said book or books at least four hours in every day, for at least two days in succession, if so many shall be necessary, and allow every one above the age of twenty-one years to subscribe therein, in his own name or in the name or names of any other person or persons by whom he shall be authorized to do so, for any number of shares of said stock, until eighteen hundred shares shall be subscribed; when the books shall be closed; but if the whole number of shares shall not be subscribed, the said commissioners may adjourn to such time and places as they shall think necessary to receive subscriptions as aforesaid, and give such further notice as they shall think proper; and when the subscription shall amount to eighteen hundred shares, as aforesaid, the books shall be closed: *Provided always*, That every person offering to subscribe in said book or books, in his own name or in the name of any other person, shall at the time of subscribing pay to the attending commissioner or commissioners two dollars on every share subscribed, out of which shall be defrayed the expenses of taking such subscriptions and other incidental charges, and the remainder, if any there be, shall be paid over to the treasurer of the corporation as soon as the same shall be organized, and the officers therein chosen, as hereinafter directed; such first payment on each share to be taken and considered as part payment on each share subscribed.

Amount to be paid at time of subscribing.

Certificate to governor.

SECTION 2. That as soon as four hundred shares shall have been subscribed, the said commissioners, or a majority of them, may certify the same, together with a list of the subscribers, and the shares subscribed by each, in writing, to the governor, who, thereupon, shall constitute the said subscribers, and also all those who may in future subscribe under the provisions of this act, a body corporate or politic, by the name and style of the president, managers and company of the M'Call's Ferry bridge, and by the said name the subscribers shall have perpetual succession, and shall be capable of holding their capital stock and the increase and profits thereof, and enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, if such enlargement be thought necessary to fulfill the intent and meaning of this act, and of purchasing and holding, to them and their successors and assigns, and of selling, transferring and conveying, in fee simple, or any less estate, all such lands, tenements, hereditaments and estates, real, personal and mixed; as shall be necessary to them in the prosecution of their works, and of suing and being sued, and of doing all and every thing which a body politic and corporate may lawfully do.

Letters patent.

Name.

Privileges.

Organization.

SECTION 3. That any five of the persons named in the letters patent of incorporation shall, as soon as conveniently may be after the sealing of the same, give notice, in one newspaper printed in the city of Lancaster, and one newspaper printed in the borough of York, of a time and place to be appointed, not less than thirty days from the time of giving said notice,

at which time and place the said subscribers shall proceed to organize the corporation, and shall choose, by a majority of votes of said subscribers present, by ballot, to be delivered either in person or by proxy, duly authorized, one president, ten managers, and one person for secretary and treasurer, and such officers as they may think necessary to conduct the business of the company during one year, and until other officers be chosen, and shall have power to make such by-laws, rules and regulations, not inconsistent with the constitution and laws of this state or of the United States, as may be necessary for the well-ordering the affairs of the company: *Provided always*, That no stockholder shall have more than one vote for each share not exceeding five shares, and one vote for every two shares above five and not exceeding eleven shares, and one vote for every three shares above eleven and not exceeding twenty shares, and one vote for every five shares above twenty: *Provided also*, That no person shall have more than twenty votes at any election in determining any question arising at such meetings, whatever number of shares he may have subscribed.

Election of officers.

By-laws.

Votes.

SECTION 4. That a public meeting of said stockholders shall be held on the first Monday in January next following the first election had as aforesaid, and on the first Monday of November in every succeeding year, at such place as shall be fixed by the rules and orders of the said company, for the purpose of choosing officers for the ensuing year, and the determination of any question affecting the interest of said company.

Annual meeting of stockholders.

SECTION 5. That the president and managers shall procure certificates for all the shares of stock in said company, which shall be signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation; and each subscriber shall be entitled to one such certificate for each share by him subscribed for, on paying to the treasurer, in part of the sum due thereon, five dollars on each share; which certificate shall be transferable, either by the owner in person or by his attorney, duly authorized, in the presence of the president or of the treasurer, for the time being, subject, however, to the payments due or that may become due thereon; and the person to whom such transfers shall be made shall stand in the place of the former holder of the certificate, and be entitled to the same privileges in the company.

Certificates for shares of stock.

Transfer of certificates.

SECTION 6. That the president and managers shall meet at such times and places, and shall be convened in such manner as shall be agreed on for transacting the business of the company; at which meeting a majority shall be a quorum, who, in the absence of the president, shall choose a chairman *pro tempore*, and shall keep minutes of their proceedings, fairly entered in a book to be kept for that purpose; and a quorum being met, they shall have full power and authority to appoint such engineers, assistants and workmen as they shall deem necessary to the erection of said bridge, and they shall fix their salaries and wages, and they shall have power to let the building of said bridge upon contract to any one or more contractors, who shall undertake and bind himself or themselves,

Meetings of president and managers.

Quorum.

To keep minutes of proceedings.

Powers and authority.

with sufficient security, to do the same; they shall also have power to make contracts, to ascertain the times, manner and proportions in which the stockholders shall pay the money due on their respective shares, draw orders on the treasurer for the money necessary to pay salaries, wages and bills for work done and labor performed, or materials furnished, which orders shall be signed by the president, or, in his absence, by a majority of the quorum, and countersigned by their clerk, and to do and transact all such other matters and things as by this act or by the by-laws of the company shall be committed to them.

Orders on treasurer.

Neglect to pay instalments.

SECTION 7. That if any stockholder, after thirty days' notice, in the manner aforesaid, of the time and places appointed for the payment of any proportion, dividend or instalment of said capital stock still due on each share, shall neglect to pay the same for the space of thirty days after the day whereon the same shall be appointed to paid, every such stockholder shall, in addition to the instalment so called for, pay at the rate of two per cent. per month for every delay of such payment; and if the same and the said additional penalties shall remain unpaid so long that the accumulated penalties shall become equal to the sum already paid on such share, the same shall be forfeited to the company, and may be sold under the direction of the president and managers, or the majority of a quorum of them, at any of their meetings for transacting the business of the company, the order for that purpose being first entered in the minute book by the clerk of such meeting.

May enter upon adjacent lands to obtain materials.

SECTION 8. That it shall be lawful for the president and managers, their superintendents, engineers and workmen, to enter on lands and enclosures near the place where the bridge is to be built, for the examination and location of the same, and to cut and carry away any timber, or dig gravel, quarry stone or gather sand necessary for building said bridge; also to enter thereon with wagons, carts, sleds, sleighs, or beasts of burden or draft, and to take and carry off any material necessary for the construction of said bridge, doing as little damage as possible, and making amends for any damage that may be done, or giving security for the payment of the same; and if the parties cannot agree upon the amount of damages that may be done, said damages may be assessed as road damages are now by law assessed; and where viewers, appointed according to the laws relative to the road damages, assess and report damages in favor of the owner or owners of such lands and enclosures, the said president and managers shall pay such damages, so assessed, together with all the costs of said view; and in case of the refusal of said president and managers to pay the same, the court in which said report of viewers was filed shall enforce payment thereof, by execution, attachment or sequestration.

Damages.

President and managers to keep account of moneys received, &c.

SECTION 9. That the president and managers of said company shall keep fair and just accounts of all moneys received by them from the subscribers to the capital stock of said company, for all penalties for delay in payment thereof, and of the profits or shares which may be forfeited as aforesaid,

of all voluntary contributions, and of all moneys expended by them in the prosecution of said work; and shall once in every year submit such accounts in detail to a general meeting of the stockholders, until the said bridge be completed, and all expenses incurred in erecting the same shall be fully paid and discharged, and the aggregate amount of all such expenses shall be liquidated and ascertained; and if in such liquidation, or whenever the whole capital stock of the said company be nearly expended, it shall be found that the capital stock will not be sufficient to complete said bridge according to the intent and true meaning of this act, it shall be lawful for the said company, at a stated or special meeting, to be convened according to the provisions of this act or their own by-laws, to increase the number of shares to such extent as shall be deemed sufficient to accomplish the work, and to demand and receive the moneys subscribed on such shares in like manner and under like penalties as are herein provided for the original subscription; which additional shares shall entitle the holder to the same rights and privileges as those originally subscribed for.

To submit same annually to meeting of stockholders.

May increase number of shares of stock.

SECTION 10. This act shall be and is subject to all the provisions and restrictions of the act, entitled "An Act regulating bridge companies," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty five, except so far as they are hereby altered or supplied.

Subject to

SECTION 11. That all powers, authorities and franchises conferred upon the president, directors and company for erecting a permanent bridge over the river Susquehanna, at or near M'Call's Ferry, by the act passed March thirtieth, one thousand eight hundred and eleven, entitled "An Act to authorize the governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Susquehanna, at or near M'Call's Ferry, in the county of Lancaster," and under and by virtue of any charter or letters patent issued to any persons or parties in accordance therewith, be and the same are hereby withdrawn, revoked and declared to be invalid and forfeited by neglect, nonuser and abandonment; and the said act, passed March thirtieth, one thousand eight hundred and eleven, and all acts supplementary to the same, be and the same are hereby repealed.

Certain powers, authorities, &c., revoked.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1398.

An Act

Authorizing the Reno Company to require of its officers, trustees, agents and employees to be sworn.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That the board of directors of the Reno Company be and they are hereby authorized and empowered to require of any officer, trustee, agent or employee of the said company, before entering upon the performance of any general or special service or duty, or upon the execution of any trust imposed on him or them by the said company, to make and subscribe to an oath, before some authority competent by law to administer the same, for the faithful performance of such service, duty or trust; and the said the Reno Company is hereby further authorized and empowered to require of any such officer, trustee, agent or employee to make and subscribe to an oath before some authority as aforesaid, to the truth and correctness of any report or statement of any service or duty performed, or of the execution of any trust which may have been or may hereafter be required of any such officer, trustee, agent or employee; and any false swearing to any such report or statement shall be construed to be perjury.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1399.

An Act

To validate the will of Christain Winebrenner, deceased, of Bedford county.

WHEREAS, Christain Winebrenner, deceased, late of the township of Middle Woodbury, and county of Bedford, in the commonwealth of Pennsylvania, did on the eighteenth day of

January, Anno Domini one thousand eight hundred and fifty-eight, make his last will and testament, recorded in the office for the recording of wills in Bedford county, and state aforesaid, in will book, number four, page two hundred and three, wherein, after making provisions for his wife during her lifetime, he the said testator did bequeath all his estate remaining after the death of his said wife, to religious and charitable uses, and the said testator died, leaving no issue, within one calendar month after the date of his said will; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eleventh section of the act of the general assembly of this commonwealth, entitled "An Act relating to corporations and to estates held for corporate, religious and charitable uses," approved the twenty-sixth day of April, one thousand eight hundred and fifty-five, be and the same is hereby repealed, so far as the last will and testament of said Christian Winebrenner, of the township of Middle Woodbury, in the county of Bedford, is concerned; and any devises made by said testator to charitable or religious uses and purposes, shall be held and esteemed as good and valid as though in law and equity said eleventh section of the said recited act had not been passed.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1400.

An Act

To repeal a former act relative to charges by the Lackawanna and Bloomsburg Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of twenty-seventh February, one thousand eight hundred and fifty-six, supplementary to the act of fifth of April, one thousand eight hundred and fifty-two, incorporating the Lackawanna and Bloomsburg Railroad Company, be and the same is hereby repealed: *Provided*, That it shall be lawful for said company to charge twenty cents for each passenger and twenty cents per ton for freight for the whole dis-

taunce the same may be carried, whenever the rates fixed by the eighteenth section of the act of February nineteenth, one thousand eight hundred and forty-nine, relating to canal and railroad companies, shall not amount to said sum.

BUTLER B. STRANG,
Speaker of the House of Representatives.
CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The thirteenth day of May, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1401.

In Act

To annul the marriage contract between Stephen Templin and Rebecca Templin, his wife.

WHEREAS, Rebecca Stahl, of Chapman township, Union county, now Snyder county, Pennsylvania, was united in marriage in June, one thousand eight hundred and fifty-two, to one Stephen Templin, of the same place, and continued to live with him for about eighteen years; but for about three years last past he has been the principal part of his time away from home, and neglected to provide the necessaries of life for his wife, which forced her to provide for herself as best she could, and that she was induced to marry him against her will and consent; and his habits of intemperance has become such as make it imperative on her to leave him; that the cause of her desired separation from him is insufficient to obtain a decree of divorce in the courts of this state; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract between Stephen Templin and Rebecca Templin, his wife, be and the same is hereby annulled and made void to all intents and purposes, and the said parties are hereby released and set free and discharged from said contract and the duties and obligations thereunder, as fully, effectually and absolutely as if said marriage contract had never been made.

BUTLER B. STRANG,
Speaker of the House of Representatives.
CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The second day of June, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1402.

An Act

To incorporate the Peabody Mutual Life Insurance and Trust Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James W. Fuller, Junior, Samuel M. Hose, George H. Stem, Benjamin Levan, William J. Craig, I. L. Shaeffer, William W. Hammersly and C. F. Drake, and all others who may be hereafter associated with them, and their successors, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Peabody Mutual Life Insurance and Trust Company of Pennsylvania, to be located at Copley, in the county of Lehigh, with all the rights and privileges and be subject to all the restrictions in the act, entitled "An Act to incorporate the Schuylkill Haven Mutual Life and Health Insurance Company of Schuylkill Haven," approved the nineteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved the seventeenth day of February, Anno Domini one thousand eight hundred and fifty-four; and that the place of business of said corporation shall be in such place in the state of Pennsylvania as the directors may designate.

BUTLER B. STRANG,

Speaker of the House of Representatives.

H. JONES BROOKE,

Speaker of the Senate *pro tem.*

APPROVED—The seventeenth day of June, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1403.

An Act

To confer certain powers upon Henry Sherwood, guardian of the minor children of James S. Bryden, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the court of common pleas of Tioga county may give authority to Henry Sherwood, of Wellsboro, Tioga county, Pennsylvania, guardian of Kate Bryden, Edward Bryden and Mary Bryden, heirs at law and minor children of James S. Bryden, deceased, to sell at private sale, at such prices as he may deem expedient and most conducive to the interest of said minor children, all the interest of said minor children in lands situate in Tioga county, in said commonwealth, such sales when made, to vest all the title therein now belonging to said minors; and the said guardian shall be thereby authorized to make title by deed, and in his name, to the purchaser or purchasers: *Provided however*, That before any such sale or sales be made, the said guardian shall enter into a bond, with sufficient surety, to be filed in and approved by the court of common pleas of Tioga county, conditioned for the faithful and legal appropriation as guardian of the proceeds of said sale or sales.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The seventeenth day of June, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1404.

An Act

To provide for the erection of all the public buildings required to accommodate the courts and for all municipal purposes in the city of Philadelphia, and to require the appropriation by said city of Penn square, at Broad and Market streets, to the Academy of Fine Arts, the Academy of Natural Sciences, the Franklin Institute and the Philadelphia Library, in the event of the said squares not being selected by a vote of the people as the site for the public buildings for said city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Theodore Cuyler, John Rice, Samuel C. Perkins, John Price Wetherill, Lewis C. Cassidy, Henry M. Phillips, William L. Stokes, William Divine, the mayor of the city of Philadelphia, and the presidents of select and common councils, for the time being, are constituted commissioners for the erection of the public buildings required to accommodate the courts, and for all municipal purposes in the city of Phila-

delphia, who shall organize within thirty days, procure such plans for the said buildings, adapted to either of said sites hereinafter named, as in their judgment may be needful, appoint of their own number a president; and from other than their own number a secretary, treasurer, solicitor, a competent architect and assistants, and other employees, fix the compensation of each person employed by them, and do all other acts necessary in their judgment to carry out the intent of this act in relation to said public buildings, fill any vacancies which may happen by death, resignation or otherwise; and if in the judgment of said commission they shall deem it advisable to increase their number they may by a vote of a majority of their whole number increase said commission, from time to time, to any number not exceeding thirteen; the said commissioners are hereby authorized and directed to locate said buildings on either Washington square or Penn square, as may be determined by a vote of the legally qualified voters of the city of Philadelphia, at the next general election, in October, one thousand eight hundred and seventy; and the sheriff shall issue his proclamation, and the city commissioners and other proper officers of said city shall provide all things that may be needful to enable the voters to decide by ballot their choice of a site for said public buildings, and the return clerks shall certify to the prothonotary the result of said election, in the usual form required for other elections; and as soon as said choice is determined by a vote of the people, as provided in this act, the said commissioners shall, within thirty days thereafter, advertise for proposals and make all needful contracts for the construction of said buildings as soon thereafter as may be found practicable; which contracts shall be valid and binding in law upon the city and upon the contractors, when approved by a majority of the said board of commissioners; and the said commissioners shall make requisition on the councils of said city, prior to the first day of December, in each year, for the amount of money requisite by them for the purposes of the commission for the succeeding year; and said councils shall levy a special tax sufficient to raise the amount so required: *Provided*, That said council may at any time make appropriations out of the annual tax in aid of the purposes of this act: *And provided further*, That the amount to be expended by said commissioners shall be strictly limited to the sum required to satisfy their contracts for the erection of said buildings and for the proper and complete furnishing thereof; and as soon as any part of said buildings may be completed and furnished ready for occupancy, they shall be occupied by the courts or such branch of the municipal government as they are intended for by said commissioners; and upon the completion of a sufficient portion of said buildings to accommodate the courts and municipal offices, the buildings now occupied by them, respectively, shall be vacated and removed, and upon the entire completion of the new buildings, all the present buildings on Independence square, except Independence hall, shall be removed, and the ground placed in good condition by said commission, as part of their duty under this act, the expense of which shall be paid out of their gen-

eral fund provided by this act; and thereupon the said Independence square shall be and remain a public walk and green forever: *And be it further provided*, That in the event of Washington square being selected by a majority of votes as the location for the said public buildings, then and in that event, the councils of the city of Philadelphia are hereby authorized, empowered and required to set apart for and convey by proper deeds or grants of conveyance, or by proper assurances of the right to occupy said squares, which the mayor of Philadelphia shall duly sign and execute, under the seal of said city, the four squares of ground known as Penn squares, located at the intersection of Broad and Market streets, in the city of Philadelphia, as laid down on the present map of said city, one to each of the following institutions: The Academy of Fine Arts, the Academy of Natural Sciences, the Franklin Institute and the Philadelphia Library, for the purpose of allowing them to erect thereon ornamental and suitable buildings for their respective institutions; the location of such buildings, and the plans thereof, to be approved by the commissioners appointed under this act and their successors in office, together with the time of erection and all other matters appertaining thereto: *Provided however*, That all expenses connected with said conveyances, plans and other information requisite for the said commission to have shall be paid by the institutions respectively; in the event of the ultimate selection of Penn squares as the site for said public buildings, the said commission shall have authority, and they are hereby empowered to vacate so much of Market and of Broad streets as they may deem needful: *Provided however*, That the streets passing around said buildings shall not be of less width than one hundred feet; it shall be the duty of the mayor, the city controller, city commissioners and city treasurer, and of all other officers of the city, and also the duty of the councils of the city of Philadelphia, to do and perform all such acts in aid and promotion of the intent and purpose of this act of assembly as said commission may from time to time require; all laws and parts of laws restricting the uses and purposes of said squares, or any of them, that may be in conflict with the intention and purpose of this act, be and the same are hereby repealed.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The fifth day of August, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1405.

An Act

To vacate a twenty feet wide alley running east from Fifteenth street, and between Spring Garden and Brandywine streets, in the Fifteenth ward, city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That a certain twenty feet wide alley running east from Fifteenth street about one hundred feet, and between Spring Garden and Brandywine streets, in the Fifteenth ward, city of Philadelphia, be and the same is hereby vacated.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The sixth day of August, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1406.

An Act

Relative to the Odd Fellows' Hall Association of the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the property situated at the south-west corner of Sixth and Cresson streets, in the city of Philadelphia, belonging to the Independent Order of Odd Fellows, known and organized as the Odd Fellow's Hall Association of the city and county of Philadelphia, be and is hereby exempted from taxation: *Provided,* That nothing herein contained shall exempt said property from taxation for state purposes.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The twenty-ninth day of August, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1407.

An Act

To incorporate the St. Joseph's hospital of Meadville.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*
- Corporators. That the persons known by the ecclesiastical names of Mothers Agnes, Georgia, Sister Aurilla, Sister Madeline, Sister Ambrosia, Sister Anastasia, Sister Joseph and Sister Aloysia, of the religious order of Saint Joseph, and professing the faith of the Roman Catholic religion, and such of their associates and successors as are hereinafter designated, are hereby created and erected into a body politic and corporate, in law and in fact, by the name, style and title of Saint Joseph's hospital of Meadville, and as such shall have perpetual succession, and be able to sue and be sued, to plead and be impleaded in all courts and elsewhere, to have and make a corporate seal, and at pleasure to alter and renew the same, and shall be able and capable, in law and equity, to take, purchase, hold and receive, to them and their successors, any lands, tenements, goods and chattels, of whatever kind, nature or quality, real, mixed or personal, which are now or may hereafter become the property of said corporation or body politic, by purchase, gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person or persons whomsoever capable of making the same, and the same to grant, bargain, sell, convey, mortgage, improve or dispose of for the use and benefit of said corporation.
- Title. Powers and privileges.
- Government. **SECTION 2.** The government of the said corporation shall be vested in a board of managers, to be composed of the persons named as corporators in the first section of this act, who shall hold their office for the term of one year from the passage of this act, and until their successors shall be chosen; such successors shall be the persons hereinafter designated, and
- Appointment of mother superior appointed in the manner following, to wit: The person who shall be designated as the mother superior of said hospital by the recognized head of that division of the religious order of Saint Joseph, which is located in the same Roman Catholic diocese with said hospital, and all such persons as are attached to said hospital and are commonly known and designated as Sisters of Charity, and their successors.
- Objects. **SECTION 3.** The objects of this corporation shall be to establish in the city of Meadville a hospital, and provide medical and surgical aid and nursing for the sick and disabled, without distinction of race, color or religion.
- Misnomer. **SECTION 4.** That no misnomer of said corporation or their successors shall defeat or annul any gift, grant, devise or bequest to or from the said corporation: *Provided,* That the intent of the party or parties shall sufficiently appear upon

the face of the gift, grant, will or other writing whereby any estate or interest was intended to pass to or from said corporation.

SECTION 5. The board of managers shall, at their first meeting after the death or resignation of Doctor T. B. Lashells, he being hereby constituted chief physician and surgeon of said corporation, or at such other times as they may appoint after such death or resignation, choose such number of physicians and surgeons as they shall deem sufficient, one of whom shall be designated as chief physician and surgeon; the admission and discharge of patients shall be in the discretion of the chief surgeon, and the general management of said hospital shall be subject to such by-laws and rules as the board of managers may adopt.

Physicians and surgeons.

Admission and discharge of patients.

SECTION 6. The mother superior of said hospital shall preside at all meetings for the transaction of business, and there shall be chosen one person from those hereinbefore mentioned who shall act as secretary of said board of managers; and the signature of the said mother superior, attested by the secretary, with the seal of the corporation, shall be sufficient evidence of the due and legal execution of all instruments in writing purporting to be executed by said corporation.

President and secretary.

SECTION 7. That the building or buildings, real estate and other property of the said hospital, being or situate in the city of Meadville, be and the same is hereby exempt from taxation.

Property to be exempt from taxation.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The first day of September, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1408.

An Act

To repeal an act, entitled "An Act to protect the health of the citizens of the city of Philadelphia," approved the seventeenth day of April, one thousand eight hundred and sixty-nine, so far as relates to the Frankford and Southwark Passenger railroad, north of the Berks street depot, and the Second and Third Street Passenger railroad, north of York street.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That so much of the act, entitled "An Act to protect the health of the citizens of Philadelphia," approved the seventeenth day of April, one thousand eight hundred and sixty-nine, which prohibits salting the railway tracks in said city, be and the same is hereby repealed, so far as relates to the Frankford and Southwark Passenger railroad, north of the Berks street station, and the Second and Third Street Passenger railroad, north of York street, and all the passenger railroad tracks west of the Schuylkill river, and the Germantown Passenger Railway Company, from Diamond street to their depot in Germantown, in the Twenty-second ward.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The third day of October, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1409.

An Act

To annul the marriage contract entered into between Daniel Mead and Aovie, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between Daniel Mead and Aovie Mead, his wife, on the fourteenth day of November, in the year eighteen hundred and sixty-one, be and the same is hereby annulled and made void, and the parties released and discharged from said contract and from all duties and obligations arising therefrom, as fully and absolutely as if they had never been joined in marriage.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The twenty-ninth day of November, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1410.

A Further Supplement

To the act to incorporate the city of Philadelphia, laying out, extending and opening, and macadamizing for public use, certain streets in the Twenty-second ward, in said city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That within sixty days after the passage of this act the court of common pleas of the city of Philadelphia shall appoint three persons as commissioners, who are hereby directed to lay out, extend and open for public use, upon straight line or otherwise, the following streets, to wit: Mount Pleasant avenue from Germantown avenue to Cresheim road, and Wayne street from Pulaski avenue to the Philadelphia, Germantown and Norristown railroad, and Gowen avenue from Germantown avenue to Cresheim road, in the Twenty-second ward, city of Philadelphia; said streets to be of the width of sixty feet; the said commissioners shall assess the damages in the manner provided for and in conformity with section three of the supplement, approved the tenth day of April, one thousand eight hundred and sixty-nine, entitled "A supplement to the act providing for the appointment of superintendents and the election of supervisors of highways in the Twenty-second ward of the city of Philadelphia."

Court to appoint commissioners to lay out certain streets.

Width.
How damages to be assessed.

SECTION 2. That upon the confirmation of the report of the said commissioners by the court, it shall be the duty of the superintendents of highways of the Twenty-second ward, and they are hereby directed to open the said streets for public use.

Upon confirmation of report, superintendents of highways to open streets.

SECTION 3. The surveyor of the district shall make plans of the said streets and give the lines thereof, and shall be compensated by the superintendents of highways: *Provided,* The cost thereof, together with pay of commissioners, shall not exceed seventy-five dollars.

Surveyor to make plans, &c.

Cost limited.

SECTION 4. That the city of Philadelphia is hereby authorized to open Adams street from Harvey street to the line of the poor house property, whenever the managers of the poor of the township of Germantown shall convey to the city of Philadelphia the small strip of ground belonging to said poor house, so as to give a front to the city lot on said Adams street; and district surveyor is hereby authorized to survey said strip of land; and the managers of the poor of said township are hereby directed to convey the said land to the said city for the purpose of squaring their lot.

Opening of Adams street, relative to.

SECTION 5. That whenever Wayne street, from the Philadelphia, Germantown and Norristown railroad, is opened to Pulaski avenue, the superintendents of highways of the Twenty-second ward shall enter into a contract with a competent person to macadamize said Wayne street for twenty-five feet in

Macadamizing of Waynestree relative to.

the centre thereof, from the Philadelphia, Germantown and Norristown railroad to Pulaski avenue, collecting the cost for the same from the owners of property abutting on the line of said road.

Department of highways to contract for macadamizing of certain avenues and streets

SECTION 6. That the department of highways of the city of Philadelphia, within sixty days from the passage of this act, shall enter into a contract with a competent person to macadamize Eric avenue from Broad street to Seventeenth street, Seventeenth street from Eric avenue to Pulaski avenue, Pulaski avenue from Seventeenth street to Wayne street; said macadamizing to be done with slag or stone, for a width of twenty-five feet in the centre of said streets, eighteen inches deep, and to collect two-thirds of the cost for the same from the owners of property abutting on the line of said street; one-third to be paid by the city of Philadelphia.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The sixteenth day of December, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1411.

A Further Supplement

To the act incorporating the city of Harrisburg, in the county of Dauphin, passed April ninth, one thousand eight hundred and sixty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

Draft authorized by former act, confirmed.

That the plan or draft of the city of Harrisburg and adjacent territory authorized and required to be made by commissioners appointed for that purpose, under the authority of an act of assembly of April ninth, one thousand eight hundred and sixty-nine, be and the same is hereby ratified and confirmed and made valid, in every particular, for all legal intents and purposes whatsoever; and as soon as completed, copies of the same shall be placed of record in the office of the prothonotary of the county of Dauphin, in the office of the recorder of deeds in and for said county, and also a copy among the records of the common council of said city, together with the accompanying explanatory report, the profiles and grades, and names of streets and alleys, as shown on said plans, drafts, reports and profiles; and all lines of roads, streets, alleys, turnpikes, ways, bridges or other routes heretofore in

Copies to be placed on record

Streets, &c., shown in red lines on draft, declared vacated.

use for travel or traffic, shown in red lines on said plans, profiles, or drafts, are intended to be and hereby are declared vacated; and the party lines between private owners shall be adjusted according to the laws now in force in this commonwealth, applicable to cases of this character; and that the proviso in an act of assembly of March nineteenth, one thousand eight hundred and sixty, incorporating the city of Harrisburg, section thirty-five of said act, is made applicable to the plots, plans and profiles hereby confirmed; that no compensation shall be made or allowed to any person or persons for houses or other buildings erected or built by any person or persons, on any of the avenues, streets, lanes and alleys of the said city, from and after the said avenues, streets, lanes and alleys shall have been designated by said commissioners or a majority of them.

Certain proviso made applicable to plans, &c., hereby confirmed.

When no compensation to be allowed for buildings erected on streets, &c.

SECTION 2. That upon a petition of a majority of owners of not less than two hundred feet of street front, the council of the city of Harrisburg is hereby authorized to provide for the opening of any street or alley, or any part thereof, laid out on the plan of the city, and shall have power, by ordinance, to appoint three discreet and disinterested freeholders of said city, as viewers, to view the premises proposed to be opened, taken, used and occupied for streets and alleys; and said viewers, before entering on their duties, shall be sworn before the mayor of said city, to discharge faithfully, honestly and impartially the duties of their appointment; they shall give ten days' written or printed notice, by the hands of the chief police constable, to each and every holder of property along the route of the proposed opening of such street or alley, of the time they will view the premises, and appoint in said notice a convenient place to hear objections or receive evidence from those interested; they may adjourn from day to day, but not oftener than three times under any appointment; they shall make a true and consciable appraisalment, taking into consideration in said appraisalment the probable advantages and benefits as well as disadvantages which may arise by reason of the improvement prayed for in such petition, and within two hundred feet in any direction of the same; they shall be furnished by the city with a plot or draft of the proposed opening, indicating upon it the location, size, boundaries and improvements of each property on the route; they shall prepare a statement showing the amount of benefit or damage in each case; they shall then give ten days' notice, in two newspapers of said city, to the owners, legal representatives or attorneys of the properties interested, of a time and place when and where they may examine said plot and statement, and said appraisers shall there hear any complaint or evidence on the subject; they shall hear, consider and determine at one meeting all questions brought them, and make such report as they may deem just, immediately thereafter to said council, with the plot aforesaid; and if, after viewers report to council, three persons, owners of property interested, shall present a petition to the court of quarter sessions of Dauphin county, at their first meeting after said report, setting forth the facts in the case, and that they believe injus-

Opening of streets and alleys, relative to.

tice has been done them by said viewers, it shall be the duty of said council, upon notice of said petition having been presented to court, to certify to said court all the papers and proceedings in the case; and thereupon said court shall take such action in the premises as it may judge right; it shall hear evidence on said report, and if deemed proper, shall appoint three new viewers, freeholders of said city, with like power as those first appointed, who shall, within twenty days fulfil their duties and report to the first regular or a special term of said court for final judgment; and in case of an appeal to court, the party or parties petitioning for a review shall in all cases be liable for the costs attending such review; and the pay of viewers or reviewers under this act shall be two dollars a day, for each day necessarily employed in the performance of their duties: *Provided*, That before such streets or alleys shall be opened, used and occupied, said council shall make compensation or secure the same to be paid to the owner or owners of property entitled thereto; and for the purpose of satisfying all damages and costs and expenses which may arise under this section, said council of city of Harrisburg is hereby authorized and empowered, by ordinance defining its purpose, to levy, assess and collect a charge sufficient to liquidate the same on the property, lots or lands abutting on said front, or within two hundred feet of the same, liable to assessment for this purpose, as indicated in said petition and accompanying ordinance; and any assessments remaining unpaid at the end of two years shall be collected with a penalty of ten per cent. for delay of such payment, under the provisions of section of eleven of the act of March nineteen, one thousand eight hundred and sixty, incorporating the city of Harrisburg.

Opening of
Front street, be-
tween State
and Maclay
streets, relative
to.

SECTION 3. That the council of said city shall have authority to open Front street, in said city, of a uniform width with the portion of it already laid out and graded, from State street to Maclay street, the plan and grades of which it is authorized to have executed and recorded within two years, and shall proceed from time to time, as it may deem necessary, to open for public use any part or parts thereof, and the same to keep open as other streets and alleys of said city, and to that intent to enter upon such property as may be found within the bounds of said plot, and after record of said plot all building thereafter erected, altered or re-built shall conform to the said recorded limits; and all lands, buildings now erected and rights existing between the recorded line and the river Susquehanna, at low water mark of the same, shall be taken for said street, and estimated at an appraisement to be made by three freeholders of said city, to be appointed by an ordinance of said council, fixing their duties; and said viewers shall take into consideration, in making their awards, advantages, as well as disadvantages, to each several property, by the opening of any portion of said street, and assess any proportion of said damage on property enhanced in value, or wholly or in part upon said city, as in their judgment may be considered equitable; and said appraisers shall be duly qualified to faithfully and impartially perform their several duties,

and make report to council, who shall, if no objection is made, confirm the same, and within one year collect such assessments as are made against individuals, and out of its general fund pay the quota, if any made against the city, in cash, and in case of objection, certify the record to the court of quarter sessions of Dauphin county, which shall thereupon proceed to consider and adjudge the same under the laws of this commonwealth relative to roads and highways; the party or parties appealing shall in all cases be liable for and pay the costs of such appeal and review.

SECTION 4. That the title of all land already taken or to be taken hereafter, for any corporation purpose, except for streets or alleys, and paid for by the city of Harrisburg, under existing laws, shall vest in fee simple, in said city, and upon its relinquishment for corporation purposes shall be disposed of at public vendue, under such terms as may be fixed by the council of said city.

Land taken for corporation purposes, relative to.

SECTION 5. That upon the application by ordinance duly approved by the council of said city, setting forth that a bridge is necessary across the Paxton creek, within the limits of said city, at the crossing of any street, the commissioners of Dauphin county may authorize the building of the bridge so required, of a width of not less than thirty feet, and of such other dimensions and materials as said board may deem most substantial to ensure safety to the traffic of said city, and shall repair and re-build said bridge, as other county bridges are repaired and re-built.

Construction of bridge over Paxton creek, relative to.

SECTION 6. All laws or parts of laws relative to the city of Harrisburg, in conflict with this, be and the same are hereby repealed.

Repeal.

BUTLER B. STRANG,
Speaker of the House of Representatives.

CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The second day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1412.

An Act

Relating to the salary of the treasurer of Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act the treasurer of

Dauphin county shall receive a salary of twenty-five hundred dollars a year, to be paid quarterly, which shall be in full for all duties and services said treasurer is now required to perform.

BUTLER B. STRANG,
Speaker of the House of Representatives.
CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The second day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1413.

An Act

To extend the provisions of an act, entitled "An Act relative to the sale of vinous and spirituous liquors by the lessee or lessees of the restaurant room of the Loeser building, in the borough of Pottsville," approved the twenty-seventh day of October, one thousand eight hundred and sixty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That, all and singular, the provisions of an act relative to the sale of vinous and spirituous liquors by the lessee or lessees of the restaurant room of the Loeser building, in the borough of Pottsville, approved the twenty-seventh day of October, Anno Domini one thousand eight hundred and sixty-eight, be and the same are hereby extended to the Eagle hotel and restaurant, in the borough of Pottsville, to the Anthracite hall and restaurant, in the borough of Ashland, and Seitzinger's hall, in the borough of Tamaqua, all in the county of Schuylkill.

BUTLER B. STRANG,
Speaker of the House of Representatives.
CHARLES H. STINSON,
Speaker of the Senate.

APPROVED—The thirty-first day of December, Anno Domini one thousand eight hundred and seventy.

JNO. W. GEARY.

No. 1414.

An Act

Relating to public printing in Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act relating to public printing in the county of Juniata," approved the fifth day of April, Anno Domini one thousand eight hundred and sixty-seven, be and the same are hereby extended and applied to the county of Huntingdon.

BUTLER B. STRANG,

Speaker of the House of Representatives.

CHARLES H. STINSON,

Speaker of the Senate.

APPROVED—The second day of January, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

No. 1415.

An Act

To provide an additional judge of the several courts in the Twenty-first judicial district.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,*

That the qualified electors of the Twenty-first judicial district shall at the next general election, in the manner prescribed by law for the election of the president judge, elect one person learned in the law, to serve as an additional judge of the several courts in said district; the said additional judge shall possess the same qualifications which are required by the constitution and laws for president judge, and shall be commissioned by the governor, and shall hold his office by the same tenure as other judges of courts of record required to be learned; the said additional judge shall have the same power, authority and jurisdiction, and be subject to the same duties, provisions and penalties as the president judge, and shall receive the same compensation for his services, to be paid out of the state treasury, in quarterly payments, in the same manner as the salaries of president judges are now by law paid.

Election of additional judge, authorized.

Qualifications, &c.

SECTION 2. That the said additional judge shall have the same power, authority and jurisdiction to hold the several

Powers and duties.

courts in the said district that the president judge thereof now has by law; and that it shall be the duty of the said additional judge, in case of absence, illness or death of the president of said district, to hold and preside at all the courts in the said district; the said additional judge shall have power to appoint and hold such adjourned terms, in addition to the regular terms of court, as the business may require, and to award venires for juries at all the said regular and adjourned terms, if necessary; questions of law which may arise before the president judge or said additional judge, may, in the discretion of the judge, be reserved for the determination of all the judges, either in term time or at such adjourned sessions as they may appoint and hold for the purpose.

May hold special court in other districts.

SECTION 3. That the said additional judge shall have the same power, authority and jurisdiction to hold special courts in other districts that the president judge now has by existing laws.

Governor to appoint person to act until election.

SECTION 4. That the governor appoint some suitable person to act as such additional judge, from the date of the approval of this act until an election be held, and a judge elected and commissioned as above: *Provided*, The judge so appointed to be invested with all the powers, authority and jurisdiction, subject to the same restrictions and penalties, and to receive the same salary and in the same manner as provided by the foregoing sections for the additional judge of the said Twenty-first judicial district.

BUTLER B. STRANG,
Speaker of the House of Representatives.
CHARLES H. STINSON,
Speaker of the Senate.

I do certify that the bill, entitled "An Act to provide an additional judge of the several courts in the Twenty-first judicial district," which has been disapproved by the governor and returned with his objections to the senate, in which it originated, was passed by two-thirds of the senate, on the first day of February, one thousand eight hundred and seventy-one, and the foregoing is the act so passed by the senate.

WILLIAM A. WALLACE,
Speaker of the Senate.
JACOB ZIEGLER,
Clerk of Senate.

I do certify that the bill, entitled "An Act to provide an additional judge of the several courts in the Twenty-first judicial district," which has been disapproved by the governor and returned with his objections to the senate, in which it originated, was passed by two-thirds of the house of representatives on the second day of February, one thousand eight hundred and seventy-one, and the foregoing is the act so passed by the house.

JAMES H. WEBB,
Speaker of the House of Representatives.
JAS. L. SELFRIDGE,
Clerk of the House of Representatives.

FEBRUARY 2, 1871.

CERTIFICATE.

SECRETARY'S OFFICE,

HARRISBURG, *August 8, 1871.*

I CERTIFY, that in obedience to the directions of An Act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof-sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the twenty-seventh day of May, 1871, including an APPENDIX, containing laws passed at the sessions of 1857, 1860, 1862, 1864, 1865, 1866, 1867, 1868, 1869 and 1870, upon which the enrolment tax has been paid, and eight other laws which were approved and signed by the Governor, since the publication of the Pamphlet Laws of 1870.

FRANCIS JORDAN,

Secretary of the Commonwealth.

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